THE HISTORY OF INDEPENDENCY.

WITH

The Rise, Growth, and Practices of that powerfull and restlesse FACTION.

D. AMBROSIUS.

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TACIT.

Scelera, scelerum, tuenda.

VIRGILIUS.

——*sua cuique Deus fit dira libido.*

1 St. JOHN, c. 2. v. 16.

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Printed for *R. Royston*, at the Angel in Ivie-lane. 1660.

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Reader,

GEntle or ungentle, I write to all, *knowing that all have now got almoſt an equall ſhare and intereſt in this Gallimaufry or Hotchpot which our Grandee Pſeudo-Politicians with their negative and demoliſhing Councils have made, both of Church and Commonwealth, and therefore I write in* a mixed ſtile, *in which (I dare ſay) there are ſome things fit to hold the* judgments of the Graveſt; *ſome things fit to* catch the fancies of the Lighteſt; *and ſome things of a* middle nature, *applying my ſelf to* all capacities, *(as far as truth will permit) becauſe I foreſee the* Cataſtrophe *of this* Tragedy *is more likely to be conſummated by* multitude of hands, *then* wiſdome of heads. *I have been a curious obſerver, and diligent inquirer, after, not only the* Actions, *but the* Counſels *of theſe times; and I here preſent the reſult of my indeavours to thee:* In a time of miſ-apprehenſions *it is good to avoid miſtakings, and therefore I adviſe thee not to apply what I ſay* to the Parliament or Army in generall, *if any phraſe that hath dropped from my pen in haſte (for this is a work of haſt) ſeem to look aſquint upon them: No, it is the* Grandees, *the* Junto men, *the* Hocas-Pocaſſes, *the* ſtate-Mountebanks, *with their* Zanyes *and* Jack-puddings, Committee-men, Sequeſtrators, Treaſurers, *and* Agita-

tors *under them, that are here historified: were the* Parliament (*the major part whereof is in bondage to the minor part and their Janisaries*) *and the* Army *freed from these usurping and engaged* Grandees, *who betrayed the Honour and Priviledges of Parliament & the Army to their own lusts, both would stand right, and be serviceable to the setling of a* firm lasting Peace under the King, *upon our* first Principles, Religion, Laws, aud Liberties, *which are now so far laid by, that whosoever will not joyn with the* Grandees, *in subverting them, is termed a* Malignant, *as heretofore he that would not adhere* to the Parliament *in supporting them was accounted; so that the* definition *of a* Malignant *is turned the wrong side outward. The body of the Parliament and Army (in the midst of these distempers) is yet healthy, sound, serviceable; my endeavour is therefore to play the part of a friendly Physitian, and preserve the body by purging peccant humors: Were the Army under commanders and officers of better Principles, who had not defiled their fingers with* publick monies, *their consciences by* complying *with, and* cheating all interests, (King, Parliament, People, City, *and* Scots) *for their own private ends, I should think that they carried the Sword of the Lord, and of* Gideon; *but clean contrary to the Image presented to* Nebuchadnezzar *in a dream, the head and upper parts of this aggregate body are part of Clay, part of Iron, the lower parts of better metall: I cannot reforme, I can but admonish, God must be both the* Æsculapius *and* Prometheus, *and amend all, and though we receive never so many* denials, *never so many* repulses *from him, let us take heed how we vote (even in the private corners of our hearts) no* Addresses, *no* Applications *to Him. Let us take heed of multiplying sins against God, lest he permit our* Schismaticall Grandees to multiply Armies and forces *upon us, to war against Heaven as well as against our Religion, Laws, Liber-*

ties,

ges, and Properties upon earth, and keep us and our estates under the perpetual bondage of the Sword, which hath hath several ways attemped in the Houses these 2. last weeks, both for the raising & keeping of a new Army of 30000. or 40000. men in the seven Northern Associate Counties, upon established pay (besides this Army in the South) and *also for the* raising of men in each County of England, *and all to be engrossed into the hands of his Excellency, and such Commanders and Officers as he shall set over them; and this work may chance be carried on by the* Grandees *of* Derby-house *and the Army, if not prevented; for the General (notwithstanding this power was denied him in the House of Commons) hath sent warrants into most Counties to raise Horse and Foot; yea, to that baseness of Slavery hath our Generall and Army, with their under-Tyrants the* Grandees, *brought us, that although themselves did heretofore set the* rascality *of the Kingdom on work in great multitudes (especially the* Schismaticall party) *to clamour upon the Parliament with* scandalous Petitions, *and make peremptory demands to the Houses, destructive to the* Religion, Laws, Liberties, *and* Properties of the Land, *and the very* foundation of Parliaments; *to which they extorted what aaswers they pleased, and got a generall vote,* That it was the undoubted right of the Subject to Petition, and afterwards to acquiesce in the wisedome and justice of the two Houses: *Yet when upon* 16. *of* May 1648. *the whole County of* Surry *(in effect) came in so civil a posture to deliver a petition to the house, that they were Armed for the most part but with sticks, in which Petition there is* nothing contained which the Parliament is not bound to make good *by their many* Declarations and Remonstrances *to the people, or by the* Oathes of Allegiance, Supremacy, *or* National Covenant, *or by the* known Laws of this Land. *Yet were they, 1. Abused by the Souldiers of*

White-

White-hall as they passed by, where some of them were pulled in and beaten. 2. When those Gentlemen of quality that carried the Petition came to Westminster-hall, they found a Guard of Souldiers at the door, uncivilly opposing their entrance to make their addresses to the House. 3. When they pressed into the Hall, and got up to the Commons door, they were there reviled by the Guard. 4. The Multitude which stood in the new Palace, (because some of them did but whoop as others did, who were purposely set on work (as is conceived) to mix with them & disorder them) were suddenly surrounded with a strong party of horse from the Mews, and some more Companies of Foot from White-hall, who by the appointment of the Committee of Schismaticks at Derby-house were ready prepared for this design, and catched them (as it were) in a Toyle, and with barbarous and schismatical rage fell upon these naked unarmed Petitioners, slew and wounded many without distinction, telling them, They were appointed to give an answer to their Petition, and they should have no other; (as indeed they had not) though the Lieut. Colonel that did all the mischief, was called into the House of Commons, & had publick thanks given him at the Bar, took many of them Prisoners, & Plundred their Packets, Cloakes, Hats, Swords, Horses, and some of them (even Gentlemen of as good quality as their General) were stripped of their doublets: those Gentlemen of quality who were in the Lobby before the Commons door, civilly expecting an answer, were abused, and violently driven out by the Guard, to take their fortune among the Rabble; what Tyrants ever in the World refused to hear the Petitions and grievances of their people before? The most Tyrannical government of the world is that of Russia, and Jo. Vasilowich was the greatest Tyrant of that Nation, yet shall this Tyrant rise up in judgement at the latter day against these Monsters. Behold what entertainment your Petitioners shall have hereafter, if publick

It is reported by some that Sir *H. Mildmay*, Col. *Purefoy* & the Speaker (doubting the House would give too good an answer to their Petition) sent for these Horse and Foot.

Peace

Peace be the end of their deſires: yet many Petitions ready drawn are ſent up and down in moſt Counties by Committeemen, and Sequeſtrators, to enforce men to give thanks for the four votes againſt the King; *and many Petitions from Schiſmaticks, deſtructive to Religion, Laws, Liberties, and Property, have been obtruded upon the Houſes, and received encouragement and thanks, becauſe they tend to* ſubvert the fundamentall Government *of* Church *and* Common-wealth, *and caſt all into the* Chaos of confuſion, *whereby the* Grandees may have occaſion to keep up this Army, *and perpetuate their Tyranny and our burdens. And from theſe Tumults of their own raiſing, the grandees pretend a neceſſity to keep this Army about this Town, to watch advantages againſt it.* Cromwell *having often ſaid,* This Town muſt be brought to more abſolute obedience, or laid in the duſt; *in order to which,* the Souldiers are now diſarming the Country, *and then* the City is next, *who being once diſarmed, muſt proſtitute their* mony-baggs to theſe fellows, *or be* Plundered.

Reader, *having ſpoken my ſenſe to thee, I leave thee to thy own ſenſe, ſubmitting my ſelf to as much Charity as God hath endowed thee withall.* God that made all, preſerve and amend all, *This ſhall be the daily prayer of him that had rather die for his Country, then ſhare with theſe* Godly Thieves, *in eating out the bowels of his Country, and enriching himſelf with publick ſpoyls.*

The History of INDEPENDENCY.

YOU have in *The mystery of the two Juntos Presbyterian and Independent*, presented to your view these two Factions, (as it were in a Cockpit pecking at one another) which rising originally from the two Houses and Synod, have so much disturbed and dislocated, in every joynt, both Church and Common-wealth. I must now set before you *Independency* Tryumphant, rousing it self upon its Legs, clapping its wings, and crowing in the midst of the Pit, with its enemy under its feet, though not yet well resolved what use it can or may make of its Victory. *The Preamble.*

But before I go any farther, it is fit I tell you what *Independency* is.

It is *Genus generalissimum* of all Errors, Heresies, Blasphemies, and Schisms; a generall Name and Title under which they are all united, as *Sampson's* Foxes were by the *Tailes*. And though they have severall opinions and fancies (which make their *vertiginous heads* turn different wayes) yet profit and preferment (being their *Tailes*) their last and ultimate end by which they are governed (like a Ship by his Rudder) and wherein they mutually correspond; the rest of their differences being but circumstantiall are easily plaister'd over with the *untempered Morter* of hypocricy by their *Rabbies* of the Assembly, and their *Grandees* of the two Houses and Army, in whom they have an *implicite faith*. As *Mahomet's* Alchoran was the Gallemaufry of Jew and Christian; so are they a Composition of Jew, Christian, and Turk; with the Jew they arrogate to be the peculiar people of God, 1. What Independency is.

Independency is compounded of Judaism

the Godly, the Saints, who only have right unto the Creatures, and ſhould poſſeſs the good things of this World, all others being Uſurpers; a Tenent ſo deſtructive to humane ſociety and civill Government, that by vertue hereof they may and do by fraud, or force, Tax, eat up with free-quarter, cozen and plunder the whole Kingdome, and count it but robbing the Egyptians: To this purpoſe they overthrow all the Judicatures, Laws, and Liberties of the Land, and ſet up Arbitrary Committees, Martial-Law, and *Weather-cock* Ordinances in their room, *made* and *unmade* by their own over-powring faction in Parliament at pleaſure, with the help and terror of their *Janiſaries*, attending at their doors.

Chriſtianiſm. With the Chriſtian, ſome of them (but not all) acknowledge the Scriptures, but ſo far only as they will ſerve their turns, to *Phariſe* themſelves, and *Publican* all the World beſides; men filled with ſpirituall pride, meer Enthuſiaſtiques, of a ſpeculative and high flying Religion, too high for Earth, and too low for Heaven; whereas a true and fruitfull Religion, (like *Jacob's* Ladder) *Stat pede in terris, caput inter nubila condit*, muſt have one end upon earth, as well as the other in Heaven. He that acknowledgeth the duties of the firſt Table to God, and neglecteth the duty of the ſecond Table to man, is an Hypocrite both againſt God and Man.

Turciſm. With the Turk they ſubject all things, even Religion, Laws, and Liberties (ſo much cried up by them heretofore) to the power of the Sword, ever ſince by undermining practiſes and lies they have jugled the *State's Sword* into the *Independent Scabbard*.

The Earl of *Eſſex* and Sir *Will. Waller* undermined to let in the Independents. The Earl of *Eſſex*, Generall of all the Parliaments Forces (a man though popular and honeſt; yet ſtubbornly ſtout, fitter for Action than Counſel, and apter to get a victory than improve it) muſt be laid by, and his Forces reduced. The like for Sir *William Waller* and his Forces; that Commanders of *Independent* Principles and Intereſts, with Souldiers ſuitable to them, might by degrees be brought into their room to reap the harveſt of thoſe crops which they had ſowen.

This was the ground-work of the *Independent* deſign, to monopolize the power of the Sword into their hands.

This could not be better effected than by daſhing the *Earl* of *Eſſex*

Essex and Sir *William Waller* one against another: for which purpose the hot-headed Schismatique Sir *A. Hasterigge* was employed with Sir *William Waller* and some others (whose Ashes I will spare) with the Earl. of *Essex* to break them one upon another. This was at last effected by taking advantage of their severall misfortunes, the one at *Listethyell* in *Cornwall*, the other at the *Devises* in *Wiltshire*, where *Hasterigge* (a man too ignorant to command and too insolent to obey) not staying for the foot, who lay round about the *Devises* in a storming posture, charged up a steep hill with his Horse onely against the Lord *Wilmots* Party, one Division so far from another, that the Second Division could not relieve the first, thereby freeing Sir *Ralph Hopton* from an assured overthrow, and bestowing an unexpected Victory on the Lord. *Wilmot*: he received a wound in his flight, the smart whereof is still so powerfully imprinted in his memory, that he abhors fighting ever since; witnesse his praying and crying out of Gun-shot at the Battle at *Chereton*, when he should have fought; and his complaints openly made in the House of Commons of the Earl of *Stanford* for Bastonadoing him. Which rashnesse of his (if it deserve not a worse name) was so far from being discountenanced that he received not long after a gift of 6500l. from the House and is lately made Governour of *Newcastle*, and 3000l. given him to repair the works there. I shall not need the Spirit of Prophecy to foresee, that the tenth part of the said 3000l. will not be bestowed upon those works. Thus was he favoured by his party in the House, who were thought to look upon this action as an acceptable service.

In farther progresse of this design, *Manchester* (a Lord, and therefore and not to be confided in) was undermined and accused by his Lieut. Generall *Cromwell* of high Crimes, whom he again recriminated with a Charge of as high a nature; and when all men were high in expectation of the event, it grew to be a drawn battle between them; whereby all men concluded them both guilty: *Manchester* was discarded. 3. The Earl of *Manchester* undermined.

Out of the ashes of these three arose that Phœnix (forsooth a new modelled Army, under the Command of Sir *Thomas Fairfax*, a Gentleman of an irrational and brutish valour, fitter to follow another mans counsel than his own, and obnoxious to

Cromwell, and the *Independent faction* (upon whose bottome he ſtands) for his preferment, it being no diſhonour to him to become the property to a powerfull Faction.

4. The Victories of the new model how atchieved.

It pleaſed God to beſtow many Victories upon this army over the Kings Forces, then ſtrong in bulk, but weakned by Factions, want of pay, and other diſtractions (whereby many of their Commanders not confiding in one another, began to provide for their future ſafety and ſubſiſtence) but above all, they had generally loſt the peoples affections. To theſe their Victories, the conſtant pay, and ſupplies, and all other helps and encouragements from a concurring State, which their working and *reſtleſſe faction* carefully accommodated them withall, (far beyond what any other Army had formerly) did much conduce, in ſo much as they cleared the Field, and took in all the enemies Garriſons, with ſo much facility, that to many men they ſeemed rather *Campanantes bellum quam belligerantes*, to conquer with ſilver than with ſteel: a good Purſe is a ſhrewd weapon.

5. Artifices to make *Cromwel* and his new model popular.

Thus this Faction having got a Generall fit for their turn, and a Lieutenant Generall wholly theirs in judment and intereſt, were diligent to make him famous and popular, by caſting upon him the honour of other mens atchievements and valour. The News-books taught to ſpeak no language but *Cromwell*, and his Party; and were mute in ſuch actions as he and they could claim no ſhare in; for which purpoſe the Preſſes were narrowly watched. When any great exploit was half atchieved, and the difficulties overcome, *Cromwell* was ſent to finiſh it, and take the glory to himſelf, all other men muſt be eclipſed, that *Cromwell* (the *Knight of the Sun* and *Don Quixot* of the *Independents*) and his Party may ſhine the brighter.

6. The new model new-modelled by degrees to put the Sword into the hands of Schiſmatiets.

And that *Cromwells* Army might be ſuitable to himſelf, and their Deſigns carried on without interruption or obſervation of ſuch as are not of their Principles, all the Sectaries of *England* are invited to be Reſerves to this Army; and all preterences of ſcandals and crimes laid hold of at their own Councils of War, to caſheer and diſband the Presbyterian party, that *Independents* might be let into their rooms, though ſuch as (for the moſt part) never drew Sword before: ſo that this Army, (which boaſteth it ſelf for the Deliverer, nay the Conquerour of two Kingdoms) is

no

no more the same that fought at *Naseby*, than Sir *Francis Drakes* Ship that brought him home, can be called the same Ship that carried him forth about the Earth, having been so often repaired, and therefore suffered so many subtractions and additions, that hardly any of the old vessel remained. It was therefore nominally and formally, not really and materially the same.

The said *mysterie of the two Juntos* farther tells you, that the Independent *Junto* bottomed all their hopes and interests upon keeping up this Army, whereby to give the Law to King, Kingdom, Parliament and City, and to establish that *Chimera* called *Liberty of conscience*. That this was *Cromwels* ambition formerly, the Earl of *Manchester's* aforesaid Charge against *Cromwell* (though let fall without prosecution, lest so great a mystery should be discovered) makes it probable, and his latter practises upon which I now fall makes it infallible.

7. The Army voted to be disbanded through *Cromwels* craft.

The Houses long since (for ease of the people) in a full and free Parliament, ordained the disbanding of this Army, only 5000. Horse, 1000. Dragoons, and some few Fire-locks to be continued in pay for safety of this Kingdom, and some of them to be sent for *Ireland*: for which purpose they borrowed 200000 l. of the City (being the same sum which disbanded the Scots) and for the rest of their Arrears, they were to have Debenters and security without all exceptions; such terms of advantage as no other disbanded Souldiers have had the like, neither are these like to attain to again: so that they have brought the Souldiers into a losse, as well as into a labyrinth; their continuing in arms without, nay, against *lawfull Authority*, being a manifest act of Treason and Rebellion, and so it is looked upon by the whole Kingdom; nor can the Parliaments subsequent Ordinances (which all men know to be extorted by force, as hereafter shall appear) help them.

To the passing of this Ordinance, *Cromwells* Protestation in the House with his hand upon his breast, *in the presence of Almighty God, before whom he stood, that he knew the Army would disband and lay down their Arms at their door, whensoever they should command them*, conduced much: this was maliciously done of *Cromwell*, to set the Army at a greater distance with the Presbyterian Party, and bring them and the Independent party neerer

together he knew the Army abominated nothing more than Disbanding and returning to their old Trades, and would hate the Authors thereof.

8. Agitators raised by Cromw.

And at the same time when he made these protests in the House, he had his Agitators (*Spirits* of his and his Son *Iretons* conjuring up in the Army, though since conjured down by them without requital) to animate them against the major part of the House,

9. The beginning of the project to purge the Houses.

(under the notion of *Royalists*, a *Malignant party* and *Enemies to the Army*) to engage them against *Disbanding* and *going* for *Ireland*, and to make a Traiterous Comment upon the said Ordinance, to demand an *Act of Indemnity*, and relie upon the advice of Judge *Jenkins* for the validity of it, and to insist upon many other high demands; some private, as Souldiers; some publique, as States-men.

10. The Army put into mutiny against the Parliam. whereby *Cromwell* monopolizeth the Army.

Cromwell having thus by mutinying the Army against the Parliament, made them his own, and monopolized them, (as he did formerly his Brew-house at *Ely*) which he might easily do, having before-hand filled most of the chief Offices in the Army with his own kindred, allyes, and friends, (of whose numerous family Lieut. Col. *Lilburn* gives you a list in one of his Books) he now flies to the Army, doubting (his practises discoverd) he might be imprisoned: where he and *Ireton* assuming Offices to themselves, acted without Commission; having not only been ousted by the self-denying Ordinance, (if it be of any power against the godly) but also their severall Commissions being then expired; and Sir *Thomas Fairfax* having no authority to make Generall Officers, as appears by his Commission (if he make any account of it) and therefore *Sprig* alias *Nathaniel Fines*, in his Legend or Romance of this Army, called *Anglia Rediviva*, sets down two Letters sent from Sir *Thomas Fairfax* to the Speaker *William Lenthal*, one to desire *Cromwel's* continuance in the Army, another of thanks for so long forbearing him from the House: see *Ang. Red.* p. 10, 11, 19. which needed not, had he been an Officer of the Army.

11. *Cromwells* family in the army.

12. *Cromwel* and *Ireton* usurp Offices in the army.

And now both of them bare-faced, and openly, joyn with the Army at *Newmarket*, in trayterous Engagements, Declarations, Remonstrances, and Manifesto's; and Petitions penn'd by *Cromwell* himself were sent to some Counties to be subscribed, against

supposed

ſuppoſed Obſtructors of Juſtice, and invaders of the Peoples Liberties in Parliament; and the Army at *Newmarket* and *Triplo-Heath* prompted to cry, *Juſtice Juſtice* againſt them; and high and treaſonable demands, deſtructive to the fundamentall priviledges of Parliament were publickly inſiſted upon; many of which for quietneſſe ſake, and out of compaſſion to bleeding *Ireland*, were granted; yet theſe reſtleſſe ſpirits (hurried on to further deſigns) made one impudent demand beget another, and when by Letters and otherwiſe they had promiſed, *That if their then preſent demands were granted, they would there ſtop and acquieſce*; yet when they ſeemed to have done, they had not done, but deluded and evaded all hopes of Peace by miſ-apprehenſion, and miſ-conſtruction of the Parliaments conceſſions; making the miſ-interpretations of one grant the generation of another demand, ſo that almoſt ever ſince the Parliament hath nothing elſe to do but encounter this *Hydra* and *roll this ſtone*.

Having thus debauched the Army, he plotted in his own Chamber the ſecuring the Garriſon, Magazine, and Train of Artillery at *Oxford*, and ſurprizing the Kings perſon at *Holdenby*; which by his Inſtrument Coronet *Joyce* with a Commanded party of Horſe, he effected; and when *Joyce* (giving *Cromwell* an account of that action) told him *He had now the King in his power*: well (replied *Cromwell*) *I have then the Parliament in my Pocket*. O inſolent Slave! O ſlaviſh *Engliſh* thus to ſuffer your King and Parliament, together with your Wives and Children, Religion, Laws Liberties, and Properties, to be Captivated by ſo contemptible a Varlet. If our Noble Anceſtors (who vindicated their Liberties and got *Magna Charta* by the Sword) ſhall look down from Heaven, and ſee their Poſterity ſo cowardly reſign them to a handfull of bloody, cheating Schiſmaticks, they will not own us, but take us for *Ruſſian* Slaves, *French* Peaſants, and cry out, that we are a Baſtard brood, *Servi naturæ*, born for bondage; yet afterwards (having recourſe to his uſual *familiarity with Almighty God*) *Cromwell* uſed his Name to proteſt his ignorance and innocence in that buſineſſe, both to the *King* and *Parliament*, adding an execration upon his Wife and Children to his proteſtation; yet *Joyce* is ſo free from puniſhment, that he is ſince preferred, and his arrears paid by their means;

Securing Oxford, and plotting the King from Holdenby

means; and though both Houses required the Army to send his Royall Person to *Richmond*, to be there left in the hands of the Parliaments Commissioners, whereby both Kingdomes might freely make addresses to him, (for they had formerly excluded and abused the Scots Commissioners, contrary to the law of Nations, and votes of both Houses, and yet then granted free access to the most desperate persons of the *Kings party*) yet they could obtain no better answer from these *Rebellious Saints*, than *That they desired no place might be proposed for His Majesties residence nearer* London *than where they would allow the Quarters of the Army to be.* This was according to their old threats of marching up to *London*, frequently used when any thing went contrary to their desires; they knew what dangerous and troublesome guests we should find them here.

Manifesto of the Army *June* 27. 1647.

How much is this Army degenerated since *Cromwell* and his demure white-livered Son-in-law *Ireton* poysoned their manners with new principles? *Anglia Rediviva p.* 247. tells us, that about *Woodstock* private overtures were made by some from Court for receiving his Majesty, who was minded to cast himself upon the Army; but such was their faithfulnesse in that point, that conceiving it derogatory to the honour and power of Parliament; (for his Majesty to wave that highest Court, and addresse himself to any others) and therefore inconsistent with their trust and duty, being servants of the State, they certified the Parliament thereof; and understanding it to be against their sense also, they absolutely refused to be tampered with. Oh, how faithfull then! how perfidious and *Crommellized* are they now! let their frequent tampering with the *King and His Party*, to the amazement of the Kingdom, and the *abusing of the King*, testifie. Read *Putney projects* written by a considerable Officer of the Army, and a friend to *Cromwell*, though not to his false practices.

14. Their project to keep the Parliament in Wardship.

Having thus gotten the *King* (the *first* and most visible legall authority of *England*) into their possession, their next design is to get the *Parliament* (the *second* legall authority of *England*) into their power.

15. Purging the Houses again.

This could not be effected but by purging the two Houses of *Presbyterian Members* (especially the most active, and such as had laboured their disbanding) that an *Independent* Parliament and

Army

Army might govern the Kingdom: In order to which design they sent to the House of Commons in the name of Sir *Thomas Fairfax* and the *Army*, a general and confused Charge of High Treasons and other mis-demeanours against *eleven Members*, for things done (for the most part in the House) and many of the principal, such as the House had long before examined and acquitted them of, and such as the whole Kingdome knows *Cromwell* and *Ireton* to be apparently guilty of; as, *Trucking with the King, &c.*

16. Accusing the 11. Members.

One chief Article insisted upon in the Charge was, *That by their power in the House, they caused the Ordinance for Disbanding this Army to pass.* Here you see where the shooe wrings them; This Charge was not subscribed by any informer that ingaged to make it good, or else to suffer punishment, and make the House and the parties accused reparations: as by the *Stat.* 25. *Ed.* 3. *c.* 4. 27. *Ed.* 3 *c.* 18. 38. *Ed.* 3. *c.* 9. 17. *R.* 2. *c.* 6. 15. *H.* 6. *c.* 4. but especially by 31. *H.* 6. *c.* 1. concerning *Jack Cade* (which comes nearest this case) ought to be; and they professed in the 2. 3. 4. Article of their Charge, *That they were dis-obliged and discouraged from any further engagement in the Parliaments service, or* Irelands *preservation; And demanded the House should forthwith suspend the impeached Members from any longer sitting and acting.* Whereupon, the House after full debate in a full and free Parliament, *Resolved*, June 25. 1647. *That by the Laws of the Land no judgment could be given for their suspension upon that general Charge, before particulars produced, and proofs made*; Yet the Army (which had now learned only to acquiesce in their own prudence and justice) insolently threatned to march up to *Westminster* against the Parliament, in case the said 11. Members were not suspended; and courted the City of *London* to sit Neuters, and let them work their will with the Parliament.

17. Threats to march up to *London*.

18. *London* solicited to sit Neuters.

The 11. Impeached Members therefore modestly withdrew to free the House from such danger, as they might incur by protecting them, as in Justice and Honour they were bound to do: After this, the Army sent in their particular Charge; and libellously published it in print by their own Authority. To which the 11. Members sent in, and published their Answer. Upon which there hath been no prosecution, because they pretend first

to settle the Kingdom, but if they stay till these fellows have either authority, will, or skill to settle the Kingdom, they shall not need to make ready for their trial till Dooms-day. Here you have a whole Army for Accusers, and the chief Officers of the Army (being Members of the House) not only accusers, but parties, Witnesses, and Judges, and carrying the Rules of Court, and Laws by which they judge, in their Scabards. And the Charge of Impeachment, such (as all men know) *mutatis mutandis* are more suitable to *Cromwells* and *Iretons* actions, then the accused Parties. If the proceeding in the Kings name against the 5. Members mentioned in *The exact Collection part* 1. *p.* 38. were Voted *Trayterous design against King and Parliament*, and the arresting any of them upon the Kings Warrant, *an Act of publick enmity against the Common-wealth*: How much more *Treasonable* were these proceedings; & the Armies March towards *London* to enforce them; and their arresting *Anthony Nichols*, having the Speakers Passe, and leave of the House; Colonel *Burch*, being upon service of the Parliament going for *Ireland*; and Sir *Samuel Luke*, resting quiet in his own house?

19. The first occasion of quarrel against the City.

20. Courting and cheating the Country and all other interests to lull them asleep till the Grandees had wrought their will upon the City and House.

21. Petitions to the Army, and for the Army.

Whilst these things were acting, *Cromwel* finding he could not have his will upon the Parliament, but that he must make the City of *London* (who had denied the neutrality) his Enemies, cast about how to cheat the Country people of their affections; (for to have both City and Country his Enemies in the posture his Army was then in, was dangerous) he therefore by many Printed Books and Papers, spread all *England* over by his Agitators, and by some Journey-men Priests (whose *Pulpits* are the best *Juglers boxes* to deceive the simple) *Absolom*-like, wooeth them to make loud Complaints of the pressures and grievances of the People: to neglect the King and the Parliament, and make Addresses to the Army as their only Saviours, the Arbitrators of Peace, Restorers of our Laws, Liberties and Properties, Setlers of Religion, Preservers of all just interests: pretended to settle the King in his just Rights and Prerogatives; to uphold the Privileges of Parliament, establish Religion, to reform, and bring to account all Committees, Sequestrators, and all others that had defiled their fingers with publique money or goods; To free the people from that all-devouring Excise and other Taxes; to redress

dresse undue elections of Members; To relieve *Ireland*: Things impossible to be performed by an Army, and now totally forgotten; so that they have only accepted of their own private demands as Souldiers; That the Parliament should own them for *their Army*; Establish pay for them; put the whole *Militia* of this Kingdom, and *Ireland* both by Sea and Land, into their Hands, and Vote against all opposite Forces. But they are now become the only Protectors of all corrupt Committee-men, Sequestrators, Accomptants to the State, and all other facinorous persons, who comply with them to keep up this Army, for their own security against publick justice.

Having thus courted and cheated all the publick and just Interests of the Kingdom, they deceived the people so far as to make them *Issachar*-like, patiently to bear the *burden of free-quarter*, and to make addresses to the Army for themselves; by Petitions, to which they gave plausible answers, That *this*, and *this* was *the sense of the Army*: As if the sense of the Army had been the supreme Law of the Land, and to make addresses to the Parliament for the Army not to be disbanded, (for which purpose their *Agitators* carried Petitions ready penned to be subscribed in most Counties.)

The People being thus lulled asleep, they now cast about how to make benefit of a joynt quarrell both against the Parliament and City, (since they could not separate them) or at least against the Presbyterian party in both; they had withdrawn their quarters (in a seeming obedience to Parliaments commands) 30. miles from *London* (of which they often brag in their Papers) and presumed the suspension of the 11. Members, had struck such an awfulness into the Houses, that most of the Presbyterian Members would either absent themselves, (as too many indeed did) or turn Renegadoes from their own principles to them: but found themselves notwithstanding opposed, and their desires retarded (beyond their expectation) by the remainder of that party. They must therefore find out a quarrel to march against the City, and give the Houses another Purge, stronger then the former.

22. A quarrel against the City invented.

23. The Army demand the City Militia to be changed into other hands.

The Army being principled, and put into a posture sutable to *Cromwels* desire, and the Country charmed into a dull sleep, now was his time to pick a quarrel with the City, that what he could

not obtain by fair means, he might obtain by foul, to make them deſert and divide from the Parliament, and leave it to be modelled according to the diſcretion of the Souldiery. He could not think it agreeable to policy, that the City which had ſlain his Compeer and fellow Prince *Wat Tyler* (the Idol of the Commons in *Richard* the ſeconds time) and routed his followers (four times as many in number as his Army) ſhould be truſted with their own *Militia*, the City being now greater, more populous and powerfull then in his days. In a full and free Parliament upon mature debate, both Houſes by Ordinance (dated 4. *May* 1647.) had eſtabliſhed the *Militia* of the City of *London* for a year, in the hands of ſuch Citizens, as by their Authority and approbation were nominated by the Lord Mayor, Aldermen, and Common-Council; and though the Army had recruited it ſelf without Authority, and had got themſelves inveſted with the whole power of all the Land forces of the Kingdom in pay of the Parliam. ſo that there was nothing left that could be formidable to them but *their own crimes*; and that it was expected they ſhould go roundly to work upon thoſe publick remedies they had ſo often held forth to the people in their popular Printed Papers: Yet the Army (contrary to what they promiſed to the City in their *Letter* 10. *June*, and their *Declaration* or *Repreſentation*, 14. *June*, 1647. *That they would not go beyond their deſires at that time expreſſed, and for other particulars would acquieſce in the Juſtice and wiſdome of the Parliament*; (behold their modeſty!) by a *Letter* and *Remonſtrance* from Sir *Thomas Fairfax* and the Army, with unreſiſted boldneſs demanded the *Militia* of the City of *London* to be returned into other hands, without acquainting the City of their Commiſſioners (then reſident in the Army to keep a good correſpondency with them) therewith; upon which Letter alone, the Houſe of Commons (being very thin, and many Members driven away by menaces) upon *July* 22. Voted the repealing the ſaid Vote of 4. *May*, and a new Ordinance for reviving the old *Militia*, preſently paſſed and tranſmitted to the Lords the ſame day about ſeven of the clock at night, and there preſently paſſed without debate, though moved by ſome to be put off until the City (whoſe ſafety and privileges it highly concerned) were heard what they could ſay to it.

See the Letter and Remonſtrance from Sir Tho. Fairfax and the Army, p. 8. 9.

Obſerve

Observe that neither by the said Paper from the Army; nor by any man in the two Houses, any thing was objected against any of the new *Militia*.

And indeed, formerly the Parliament never made choice of, enlarged or changed the City *Militia*, but they were still pleased first to communicate the same to the Common-Council; a Respect justly shewed to that City which had been such good friends to them; but of late, since the Parliament have shifted their old Principles and Interests, they have learned to lay by their old Friends. The pretence for this hasty passing the Ordinance, was to prevent the Armies so much threatned march to *London*, if the Houses refused to pass it; and the Cities opposition, if not passed before their notice of it. But the real design was to strike a discontent and jealousie into the City, thereby to force them to some act of self-defence, which might give a colour to the Army to march up against them, and their friends in the Houses.

The unexpected news of this changing their *Militia*, caused the City (*June* 24. being Saturday) to meet in Common-Council, where, (for some reasons already expressed) and because the repealing this Ordinance upon no other grounds then the Armies imperious desires, might justly be suspected, to shake all other Ordinances, for security of Money, sale of Bishops Lands, by making them repeatable at the Armies pleasure; they resolve to Petition the House upon Monday morning following, being 26. *July*, which they did by the Sheriffs and some Common-Council men; But so it hapned, that about one thousand *Apprentices* wholly unarmed, came down two or three hours after with another Petition, of their own, to the Houses; Therein complaining, that *to Order the Cities Militia was the Cities Birth-right, belonging to them by Charters confirmed in Parliament, for defence whereof they had adventured their lives as far as the Army; And desired the Militia might be put again into the same hands in which it was put with the Parliaments and Cities consent by Ordinance*, May 4.

24. The City troubled at the change of their *Militia*.

I appeal to Colonel *Harvy*, whether this did not fright him?

25. The City Petition the Houses for their *Militia* again.

26. The tumult of Apprentices, 26. *July*.

Upon reading these Petitions, the Lords were pleased to revoke the Ordinance of *July* 23. and revive that of *May* 4. by a new Ordinance of *July* 26. which they presently sent down to the Commons for their consents, where some of the Apprentices (presuming they might have as good an influence upon the House to obtain

obtain *their due*, as the Army in pay of the Parliament had to obtain *more then their due*) in a childish heat were over-clamorous to have the Ordinance passed, refusing to let some Members pass out of the House, or come forth into the Lobby when they were to divide upon the question about it, (so ignorant were they of the customes of the House) which at last passed in the affirmative about three of the clock afternoon; and then most of the Apprentices departed quietly into the City. After which, some disorderly persons (very few of them Apprentices) were drawn together and instigated by divers Sectaries and friends of the Army, who mingled with them (amongst whom one *Highland* was observed to be all that day very active; who afterwards [26. *Sept.*] delivered a Petition to the House against those Members that sate, and was an Informer and Witness examined about the said *Tumult*) gathered about the Commons door and grew very outragious, compelling the Speaker to return to the Chair after he had adjourned the House; and there kept the Members in until they had passed a Vote, *That the King should come to London to Treat.*

27. The Tumult of Apprentices ceased, but artificially continued by Sectaries.

This was cunningly and premeditately contrived, to encrease *the scandal upon the City*; yet when the Common-Council of *London* heard of this disorder as they were then sitting; they presently sent down the Sheriffs to their rescue with such strength as they could get ready (their *Militia* being then unsetled by the contradicting Ordinances of the Parliament) who at last pacified the Tumult, and sent the Speaker safe home; which was as much as they could do in this intervall of their *Militia*, being the Houses own Act.

28. The Speaker of the Commons complained of a report, that he meant to flie to the Army; yet run away to the Army.

The Lords adjourned until the next Friday; the Commons but until the next day. Tuesday morning the Commons sate again quietly, and after some debate adjourned until Friday next, because the Lords had done so.

The next day being Wednesday, the *monthly Fast*, the Speaker and Members met in *Westminster* Church; where the Speaker complained (in some passion) to Sir *Ralph Asheton* and other Members, of a scandalous report raised on him in the City, as if he intended to desert the House, and fly to the Army, saying; *he scorned to do such a base, unjust, dishonorable act; but would rather die in his House and Chair:* which being spoken in a time and

place

place of ſo much reverence and devotion, makes many think his ſecret retreat to the Army (the very next day) proceeded not ſo much from his own judgment, as from ſome ſtrong threats from *Cromwel* and *Ireton* (who were the chief contrivers of this deſperate plot to divide the City and Houſes, and bring up the Army to *enthrall them both*) *That if he did not comply with their deſires, they would cauſe the Army to impeach him for conſening the State of many vaſt ſums of money.*

And truly I remember I have ſeen an intercepted Letter, ſent about the time of his flight, from the Army to *Will. Lenthal* Speaker without any name ſubſcribed to it, only the two laſt lines were of *John Ruſhworths* hand; earneſtly importuning *him to retire to the Army, with his friends.*

On Thurſday morning early, the newly renewed *Militia* of *London*, made publick Proclamation throughout the City and Suburbs, and ſet up printed Tickets at *Weſtminſter*, *That if any perſon ſhould diſturb either of the two Houſes or their Members, the Guards ſhould apprehend them, and if reſiſtance were made, kill them*; yet notwithſtanding, the Speaker and his party, (carrying the cauſes of their fear in their own conſciences) in the evening of that day ſecretly ſtole away to *Windſor* to the Head-quarters. 29. The City proclaim againſt Tumults.

Upon Friday morning at leaſt 140. of the Members aſſembled in the Houſe (they that fled being about 40.) whither the Serjeant comming with his Mace, being asked where the *Speaker was?* anſwered, *He knew not well; that he had not ſeen him that morning, and was told he went a little way out of Town laſt night*; but ſaid, *he expected his return to the Houſe this morning*: after that, being more ſtrictly queſtioned about the Speaker, he withdrew himſelf, and would not be found, till the Houſe (after four hours expectation, and ſending ſome of their Members to the Speakers houſe, who brought word from his Servants, that *they conceived he was gone to the Army*) had choſen a *new Speaker*, Maſter *Henry Pelham*, and a new Sergeant, who procured another Mace. The like (*mutatis mutandis*) was done by the Lords, to prevent diſcontinuance and fayler of the Parliament for want of Speakers to adjourn and ſo to continue it; and take away all ſcruples. 30. The Houſes appear, the Speaker being at the Army. 31. New Speakers choſen.

As for the *Petition and Engagement of the City* (ſo much aggravated 32. Petition and Engagement of the City.

vated by the *Independent party*) it was directed to the *Lord Mayor, Aldermen*, and *Common-Council*; from divers *Citizens, Commanders* and *Souldiers*, and was occasioned by some intelligence they had, that the *Army would demand an alteration of the City Militia, in order to a design they had against the City*. It was only intended to the Common Hall, but never presented, as the *Souldiers Petition* was to their *General*, which being taken notice of by the Parliament as it was in agitation, was so much resented by the Souldiery, as to put themselves into the posture they are now in (as Lieut. Col. *Lilburn* says in one of his books) to act no longer by their Commission, but by the principles of Nature & self-defence; nor did the said *Engagement* contain any thing but *resolutions of self defence, in relation to the City*; so that we cannot see what the Army had to do to declare their sence upon it in their *Letter* 23. *July*, & so put a prejudice upon it in the Houses. I have insisted the more particularly upon this *Grand Imposture*, as being the *Anvill* upon which they hammered most of their subsequent designes, *violent* and *illegal accusations*.

33. Votes passed after new Speakers chosen.

The new Speakers chosen; *the two Houses proceeded to Vote and Act as a Parliament*.

And first, *The House of Commons Voted in the eleven impeached Members: next, They revive and set up again the Committee of safety by Ordinance of both Houses, enabling them to joyn with the Committee of the restored City Militia, giving power by severall Ordinances to them, to List and raise Forces, appoint Commanders and Officers, issue forth Arms and Ammunition for defence of both Houses and the City against all that should invade them*. Which Votes and preparations for their self-defence (warranted by the same law of Nature, as the Armies papers affirm) were not passed, nor put in execution untill the Army (every day recruited contrary to the Houses Orders) were drawing towards *London*, and had with much scorn disobeyed the Votes and Letter of both Houses, prohibiting them *to come within thirty miles of London*.

34. Members Engagement with the Army.

The Army, to countenance their Rebellion, *drew the two Speakers and fugitive Members to sit in consultation, and pass Votes promiscuously with the Council of War in the nature of a Parliament, and to sign an Engagement* (dat. 4. August.) *to live and die*

die with Sir Thomas Fairfax *and the army under his command*, affirming therein, *that generally throughout their ſenſe agreeth with the Declaration of Sir* Tho. Fairfax, *and his Council of War, ſhewing the grounds of their preſent advance towards the City of* London. In which Declaration, the Council of the Army take upon them to be *ſupreme Judges over the Parliament*; Telling you who of the two Houſes they hold for perſons in whom the publick truſt of the Kingdom remaineth, and by whoſe adviſe they mean to govern themſelves in managing the weighty affairs of the Kingdom. They declare againſt the late choice of a new Speaker by ſome Gentlemen at *Weſtminſter*; And that as things now ſtand, there is no free nor legal Parliament ſitting, being through the violence (26. *July*) ſuſpended. That the Orders and Votes, &c. paſſed 29. *July* laſt, and all ſuch as ſhall paſſe in this aſſembly of ſome few Lords, and Gentlemen at *Weſtminſter*, are void and null, and ought not to be ſubmitted unto.

Behold here, not only a power without *the Parliament Houſes*, judging of the very *eſſence of a Parliament*, and the validity of their reſolutions, but uſurping to themſelves a *negative Voice*, which they deny to the King; and yet a Schiſmatical faction in the 2. Houſes complying with them, and betraying and proſtituting the very being, Honour, and all the fundamental rights and privileges of this and all future Parliaments to an army of Rebels who refuſe to obey their Maſters, and disband.

This Engagement ſo over-leavened the army, that their brutiſh General ſent forth Warrants *to raiſe the Trained Bands* of ſome Counties to march with him againſt the City and both Houſes; although Trained Bands are not under any pay of the Parliament; and therefore not under command of the General, by any Order or Ordinance. But what will not a *Fool in authority* do, when he *is poſſeſſed by Knaves*? Miſerable man! His Foolery hath ſo long waited upon *Cromwell's* and *Ireton's* knavery, that it is not ſafe for him now to ſee his folly, and throw by his *Cap with a Bell* and *his Bable*.

35. The City ſend Commiſſioners to the Army, *Fowke, Gibs*, and *Kelwich*, by whom they are betrayed.

The Earl of *Eſſex* died ſo opportunely, that many ſuſpected his death was artificiall.

Yet the City were ſo deſirous of Peace, that they *ſent Commiſſioners* ſundry times *to the Army* to mediate an Accord; Who could

could obtain no more equal terms of Agreement, then that *They should yield to desert both Houses, and the impeached Members: Call in their Declaration newly Printed and published: Relinquish the Militia: Deliver up all their Forts and Line of Communication to the Army; together with the Tower of* London, *and all the Magazines and arms therein: Disband all their Forces: Turn all the Reformadoes out of the Line: Withdraw all their guards from the Houses: Receive such Guards of Horse and Foot within the Line, as the Army should appoint to guard the Houses: Demolish their works, suffer the whole Army to march in triumph through the City as Conquerours of it and the Parliament, and* (as they often give out) *of the whole Kingdome:* tearms which they might have had from the great Turk, had he sate down before them and broken ground.

All which was suddenly and dishonourably yielded to, and executed according, by such an Army as was not able to fight with one half of the City, had they been united: But they are the *Devils seed-men*, and have sown the *Cockle of Heresies and Schism*, so abundantly in City and Country (specially amongst the more beggarly sort) that these men joyning Principles and interests with the Army, weaken the hands of all opponents. They often brag that they made a civil march, free from Plunder: I Answer, they neither durst nor could do otherwise: their Souldiers being ill armed, and so few, that they were not able to keep stands in the streets, and keep the Avenues while their Fellows dispersed to Plunder. *Charles* 8. with a far greater, and more Victorious Host, durst not offer violence to the fat lesse City of *Florence* when *Signior Capona* put an affront upon him in the Town-house; Bidding him *beat his drums, and he would ring their Bells.*

36. The fugitive Members returned.

Upon the 6. of *August*, 1647. The General brought the fugitive Speakers and Members to the Houses with a strong Party, (who might have returned sooner without a Guard, had not their own crimes and designs hindred them) the two Palaces filled with armed guards, double Files clean through *Westminster-hall*, up the stairs to the House of Commons, and so through the Court of Requests to the Lords House, and down stairs again into the old Palace. The Souldiers looking scornfully upon many

Member,

Members that had sat in the absence of the Speaker, and threatning to cut some of their throats. And all things composed to so ridiculous a terrour, as if they would *be speak* (without *speaking*) the absence of those Members that sat, placed the Speakers in the Chairs without Vote, out of which they had been justly Voted for deserting their calling: where the General was placed in a *chair of State*, (enough to make a fool of any man that was not fit for it) and received special thanks for his service from both Speakers. And in the second place, *a day of thanksgiving* was appointed to God, (I think) for his patience in not striking these Atheistical Saints with thunder and lightning for making him a stale to their premeditated villanies.

Here Sir *Thomas Fairfax*, with a breath (and before any man that was not privy to the design could recover out of his amazement) was made *Generalissimo* of all the Forces and Forts of *England* and *Wales*: to dispose of them at his pleasure: *Constable* of the Tower of *London*. The common Souldiers Voted *one months gratuity*, besides their pay (the Commons being in good case to give gifts before they *pay debts*:) left to the discretion of the General to set what Guards he pleased upon the two Houses. Whereby you may perceive in what unequal condition those Members that did not run away with the Speaker, do now sit: after so many reiterated threats of the General against them in his printed Papers.

37. The Armies march in Triumph through the City, with other subsequent acts.

After this, the General, Lieutenant General, Major General *Skippon* (heretofore Waggoner to Sir *Francis Pere*, and one that hath got well by serving the City) and the whole Army, with the Train of Artillery, marched through *London* in so great pomp and Tryumph, as if they would have the People understand that the Authority of the Kingdom (in whose hands soever it remains in these doubtfull times) must submit to the *power of the Sword*, the hilt and handle whereof they hold. They *turn out the Lieutenant of the Tower without cause shewn*. The consequences of these two actions were, that immediately the City decayed in Trade above 200000l. a week: and no more bullion came to the Mint.

They displace all our Governours, though placed by Ordinance of Parliament, and put in men of their own party; for this

encroaching faction will have all in their own hands: they alter and divide the Militia of *London*, setting up particular Militia's at *Westminster*, *Southwark*, and the *Hamblets of the Tower*; that being so divided they may be the weaker: Demolish the lines of Communication, that the City and Parliament may lie open to Invasion when they please, and fright many more Members from the Houses with threats, and fear of false impeachments.

The 11. impeached members, having leave by order of the House, and license of the Speaker, some to go beyond Sea, and *Anthony Nichols* to go into his own Country to settle his affairs; Some of them (as Sir *William Waller*, and M. *Den*. *Hollis*) were attacht upon the Sea, *Nichols* arrested upon the way into *Cornwall* by the army, and despightfully used. And when the General was inclined to free him, *Cromwell* (whose malice is known to be as unquenchable as his Nose) told him *he was a traitor to the Army*. You see now upon whom they meant to fix the *peoples allegiance*, (for where no *allegiance* is due, there can be no *Treason*) and to what purpose they have since by their 4 Votes (first debated between the *Independent Grandees* of the Houses and army) laid aside the King, and (as much as in them is) taken off our allegiance from him.

Col. *Birch* formerly imployed for *Ireland* by the Parliament, was imprisoned, and his men mutinied against him by the army, and Sir *Sam*. *Luke* resting quietly in his own house, was there seized upon, and carried Prisoner into the Army.

All these acts of terror were but so many scare crowes set up to fright more Presbyterians from the Houses, and make the army masters of their Votes.

38. Proceedings of both Houses under the power of the Army.

I must in the next place fall upon the Proceedings in both Houses, acted under the power and influence of this all-inslaving, all-devouring army, and their engaged party; to attain the knowledge whereof, I have used my utmost industry and interest with many my near friends, and kinsmen sitting within those Walls,

39. Ordinance to Nul and Void all Acts passed in absence of the 2 runnagade Speakers.

heretofore (when *Kings*, not *Brewers* and *Draymen*, were in power) the walls of publick Liberty.

The Lords that sate in absence of the two Speakers (all but the Earl of *Pembrook*, whose easie disposition made him fit for all companies) found it their safest course to forbear the House, leaving

leaving it to be possessed by those few Lords that went to, and engaged with the Army: which ingaged Lords sent to the Commons for their concurrence to an Ordinance, *To make all Acts, Orders, and Ordinances, passed from the 26 July*; (when the tumult was upon the Houses) *to the 6 of August following* (being the day of the fugitive Members return) *Void and null ab initio*. This was five or six severall days severally and fully debated, as often put to the question, and carried in the Negative every time; Yet the Lords still renewed the same message to them, beating back their Votes into their throats, and would not acquiesce, but upon every denial put them again to roll the same stone, contrary to the priviledges of the Commons.

40. Menaces used by the engaged party in the Houses.

The chief Arguments used by the engaged party were all grounded upon the Common places of fear and necessity: Mr. Solicitor threatning if they did not concur, the Lords were resolved to vindicate the honour of their House, and sit no more; they must have recourse to the power of the Sword; The longest Sword take all. *That they were all engaged to live and die with the Army. They should have a sad time of it.* Hasterigge used the like language, saying, *Some heads must flie off, must be feared, the Parliament of* England *would not save the kingdome of* England; *they must look another way for safety. They could not satisfie the Army but by declaring all void ab initio; and the Lords were so farr engaged, that no middle way would serve.* To this was answered, *That this was an appeal from the Parliament to the Army.* And when these and many more threats of as high nature were complained of, *as destructive to the liberty and being of Parliaments*, the Speaker would take no notice of it. Sir *Henry Vane junior*, Sir *John Evelin junior*, *Prideaux*, *Gourdon*, *Mildmay*, *Thomas Scot*, *Countess Holland*, and many more, used the like threats.

41. A threatning Remonstrance from the army to the House.

Upon the last Negative (being the fifth or sixth) the Speaker perceiving greater enforcements must be used, pulled a Letter out of his pocket, *From the Generall and General Council of the Army* (for that was now their stile) pretending he then received it; But it was conceived he received it over night, with directions to conceal it; if the question had passed the affirmative. It was accompanied with a *Remonstrance* full of villanous language and

threats

threats against *those members* that sate while the two Speakers were with the Army, calling them *pretended Members*, charging them (in generall) with *Treason, Treachery, and breach of Trust*; and protested, if they shall presume to sit before they have cleared themselves, that they did not give their assents to such and such Votes, they should sit at their perils, and he would take them as prisoners of War, and try them at a Council of War.

What King of *England* ever offered so great a violence to the fundamental Priviledges of Parliament, as to deny them the Liberty of voting *I* and *No* freely? Certainly the *little finger* of a *Jack Cade*, or a *Wat Tyler*, is far heavier than the *loins* of any King.

Many Members were amazed at this Letter, and it was moved, *That the Speaker should commend all the members to meet at the House the next day; and should declare, That they should be secured from danger: And that it might be ordered, That no more but the ordinary Guards should attend the house.* But these two motions were violently opposed with vollies of threats, by the aforesaid Parties and others. And after more than two hours debate, the Speaker refused to put any question upon them, or any of them; and so adjourned to the next morning, leaving the *Presbyterian Members* to meet at their Peril.

The next day being Friday, the 20. *August*, there was a very thin Assembly in the House of Commons, the House having with so much violence denyed protection to their Members the day before, made most of the *Presbyterian* party absent. Some went over to the *Independent* party: others sate mute. At last a Committee was appointed presently to bring in an *Ordinance of Accommodation*; which was suddenly done and passed, and is now printed at the latter end of the said menacing *Remonstrance* of the Army: a Child fit to wait upon such a mother.

A.R. Debate in passing the Ordinance of null and void.

Thus was this *Ordinance of null and void* gotten (which hath been the cause of so much danger and trouble to multitudes of people) by the Lords reiterated breaches upon the Privileges of the House of Commons: The engaged parties threats within doors: The Armies thundring Letters and Remonstrance, Their

Guards

Guards upon their doors, and a Regiment of two of Horse in *Hide Park*, ready to make impreſſions upon the Houſe in caſe things had not gone to their minds; diverſe of whoſe Commanders walking in the Hall, enquired of us how things were proceeding, *they would pull them forth by the Ears if they did give ſpeedy ſatisfaction.*

Thus for the *manner* of paſſing that Ordinance.

The *matter* of argument uſed againſt it was (as far as I can hear) to the purpoſe following: It was alleged that the Force upon Monday, 26. *July*, ended that day, that the next day being Tueſday, the Houſe met quietly, and adjourned: that upon Friday following, the Houſes ſate quietly all day, and gave their Votes freely, and ſo forward; the City having ſufficiently provided for their ſecurity, that the tranſient force upon Monday, could have no influence on the Houſes for time to come.

That the Supreme power of no Nation can avoid their own Acts by pretended force: this would make the Common people, the Jurors, and Judges, to queſtion all Acts done in Parliament, ſince one man can, and may judge of force as well as another: this were to bring the Records of the Houſe into diſpute: *Magna Charta* was never gotten nor confirmed but by Force: Force was three-fold, *upon one, or both Houſes; or upon the King, in giving his Royal aſſent*; neither could plead it: the Parliament is preſumed to conſiſt of ſuch men as dare lay down their lives for their Country.

When the King came with force to demand the 5. Members; When the City came down crying for juſtice againſt the Earl of *Strafford*: When the Women came down crying for Peace: When the Reformadoes came down in a much more dangerous Tumult then this of the unarmed Apprentices; yet the Houſes continued ſitting and acting, and none of their Acts were nullified.

That to make their Acts, Orders, and Ordinances void *ab initio*, would draw many thouſand men, who had acted under them, into danger of their lives and fortunes, who had no Authority to diſpute the validity of our Votes: we muſt therefore give them power to diſpute our Acts hereafter upon matter of fact; for to tie men to unlimited and undiſputable obedience to

our

our Votes, and yet to punish them for obeying whensoever we shall please to declare our Acts void, *ab initio*, is contrary to all reason. If to act upon such Ordinances were criminal, it was more criminal in those that made them. And who shall be Judges of these that made them? not the Members that went to the Army; They are parties pre-ingaged to live and die with the Army; and have approved the *Armies Declaration*, calling those that sate, *a few Lords and Gentlemen, and no Parliament*: They have joyned with a power out of the Houses to give a Law to, and put an engagement upon both Houses, a president never heard of before, of most dangerous consequence, it takes away the liberty of giving *I* and *No* freely, being the very life of Parliaments: If all done under an actual force be void, it is questionable whether all hath been done this four or five years be not void; and whether his Majesties Royal assent to some good Bills passed this Parliament, may not be said to have been extorted by force. If the Kings party prevail, they will declare this Parliament void, upon the ground your selves have laid, 1. *Hen.* 7. that King urged the Parliament to make void *ab initio*, all Acts passed *Rich.* 3. which they refused upon this ground, that then they should make all that had acted in obedience to them liable to punishment, only they repealed those Acts.

Fabian's History.

The debate upon this Ordinance *of Null and Void*, held from Monday, 9. of *Aug.* to the 20. *Aug.* (when it was passed) but not without some interleaping debates of something a different nature, yet all looking the same way; occasioned by *Messages* from the Lords: Namely, once upon a Message from them, The said *Declaration* from Sir *Thomas Fairfax* and his army, concerning their *advance to London* was read and debated in grosse, whether the Commons should concur with the Lords in approving it? But almost all but the ingaged party and their pensioners distasted it, it was laid by without any question put, lest it should prove dangerous to put a Negative upon their Masters of the army. Yet many menaces (according to custome) were used by the engaged party to get it passed: *Hasterigge* affirming that those Gentlemen that sate and voted for a *Committee of Safety*, and the Kings comming to *London*, did drive on the design of the *City Protestation* and *Engagement*. To which was answered, *That the*

43. The Lords Message to the Commons to approve the Declaration of the Army.

44. The Committee of safety.

Committee

Committee of ſafety was not then newly erected by theſe which ſate but of the old Committee, revived by that Vote, which had been long ſince erected in a full and free Parliament, when the Army firſt mutined, and threatned to march to London, *and for the ſame ends, defence of Parliament and City; and for the Kings coming to* London, *it was Voted onely to get him out of the power of the Army; as formerly in a full and free Parliament he had been voted to* Richmond *for the ſame reaſon.*

Upon another Meſſage from the Lords, the Commons concurred in an Ordinance to erect a Committee of Examination, to inquire into, and examine the *City Petition, Engagement, and the force upon the Houſes 26. July.* & all endeavours to raiſe any forces, &c. This Committee conſiſted of 22. Commons beſides Lords, almoſt all of them Members engaged with the Army: but becauſe there were ſome three or four Presbyterians gotten in amongſt them, to ſhut theſe *Canaanites* forth, that the Godly, the true ſeed of *Iſrael* might ſhuffle the cards according to their own mind, the 13. *Auguſt* after (upon another Meſſage from the Lords) there was a Sub-Committee of Secrecy, named out of this Grand Committee of examinations, to examine upon Oath; the perſons were the Earl of *Denbigh*, and *Mulgrave*, Lord *Gray* of *Wark*, Lord *Howard* of *Eſcrig*, Sir *Arthur Haſlerigge*, Mr. Solicitor, *Gourdon*, *Miles Corbet*, Alderman *Pennington*, *Allen*, *Edwards*, Col. *Ven*, or any three of them; all perſons engaged to live and die with the Army, and now appointed to make a clandeſtine ſcrutiny, and ſearch into the lives and actions of the Presbyterian Party that ſate in Parliament doing their duty, when the engaged party fled to the Army, and brought them up in hoſtile manner againſt them.

45. A Committee to Examine the Tumult.

46. A Sub-committee of ſecrecy ſelected to examine the Tumult.

The unreaſonableneſſe of this way of proceeding was much urged, and farther alleged, that *it was neither conſonant to the cuſtomes of the Houſe, nor unto common reaſon:* that *a Sub-committee ſhould be choſen out of the Grand Committee of Examinations, with more power then the Grand Committee it ſelf had, and excluding the reſt of the Committee under the pretence of Secrecie*; Beſides, *it was againſt the privilege of the Houſe of commons, that the Lords ſhould nominate the Commons in that ſub-committee as well as their own Members.* But the Independent Gran-

47. Debate upon paſſing the Committee of Secret examinations.

dees would have it paſſe. Breach of Privilege and all other conſiderations are eaſily ſwallowed when they are ſubſervient to their preſent deſigns.

48. The manner of proſecution & proceeding upon the Tumult.

The party engaged were reſolved to be *Examiners*, *Informers*, and *witneſſes*, as well as *Parties*; (ſo active was their malice) and had ſo well packed their Cards, that eight or nine Schiſmaticall Lords engaged likewiſe with them, and the army ſhould be Judges of the Presbyterian Party that ſate in abſence of the two Speakers, the better to give the two Houſes a through purge, and make them of the ſame complexion with the army: without which they had no hopes to divide the power and profit of the Land between themſelves by 100001. 200001. in a morning ſhared amongſt the Godly; and to make the whole Kingdome to be *Gibeonites*, hewers of wood, and drawers of water to the faithfull.

49. *Miles Corbet* makes report of Examinations taken at the Cloſe Committee: Firſt, againſt the Committee of Safety.

In order to the playing of this game, *Miles Corbet* (Interpreter to the *State-puppet-play* behind the curtain, commonly called *The Cloſe Committee of Examinations*) upon the third of *September* ſtood up and began his Report from that Inquiſition, ſaying, *He would begin with the Committee of Safety, wherein many Members were concerned, and it was neceſſary to purge the Houſes firſt.* But further ſaid, *he would ſuppreſſe the names of many of his Witneſſes, becauſe the Depoſitions he ſhould report were but preparatory Examinations, and it would be for ſervice of the State to conceal their names.*

He firſt produced many Warrants ſigned at the *Committee of Safety* by the Earls of *Pembroke*, *Suffolk*, *Middleſex*, *Lincoln*, Lord *Willoughby* of *Parham*, *Maynard*, Mr. *Hollis*, Sir *Phi. Stapleton*, Sir *William Waller*, M. *Long*, M. *Nichols*, Sir *William Lewis*, Mr. *Baynton*.

Againſt Maſter *Baynton*.

Next, *Corbet* reported, *he had a Witneſſe who depoſed that a Gentleman with a Red head ſigned many Warrants, ſuppoſed to be* Maſter *Edward Baynton*; at length after much wyer-drawing of the buſineſſe, one Warrant was ſhewn to Maſter *Baynton*, which he confeſſed to be his hand. And preſently *Haſlerigg* moved that Maſter *Baynton* might forthwith Anſwer; againſt which was objected, *That ſince theſe were but preparatory Examinations, not legal proofs, no man was bound to anſwer them; otherwiſe a man*

ſhall

shall be put to as many several answers as several new matters of Charge come in against him, and shall day by day be liable to new vexations, and never know when he hath cleared himself. But *Corbet* (who of an examiner was now become the Kings Solicitor, or Advocate Criminal) moved to proceed to Judgement against him: but first to aske him some preparatory questions. But it was answered, that it was illegal to squeese examinations out of a mans own mouth; neither was a man bound to answer, where his words may condemn, but not absolve him: for so much as depends upon the testimony of Witnesses against this Gentleman, you cannot proceed unless he be by, and have liberty to put cross questions to the Witnesses. It is alleged, Warrants were signed, and all done in relation to a new War. It is answered, it was done in order to Self-defence (allowed by the Laws.) Long before this occasion, when the Army first murinied and threatned to march up to *London*, and use such extraordinary means against the *Parliament and City* as God had put into their hands, you then in a full and free Parliament appointed a Committee of Safety for your defence, who sate and acted. This Committee was but the same revived, and upon the like or worse threats and menaces, as by the many printed papers from the army will appear; you have no Testimony against this Gentleman by name, but only a character of his Hair: and for signing the Warrant confessed by himself he is acquitted by the *Proviso* of the Ordinance 20. *August* last, which excepted only such as acted upon the force; but when the Committee of Safety was revived, the Parliament was freer from force then it is now. Mr. *Baynton* notwithstanding, was adjudged to be suspended the House during pleasure of the House, which is as much as to say, *So long as the Tyranny of this Domineering Faction lasteth.*

The 4. of *Sept.* *Corbet* reported he had a Witness (but named him not, because they were but preparatory examinations) who deposed, that an elderly Gentleman, of low stature, in a Gray suit, with a little stick in his hand, came forth of the House into the Lobby when the tumult was at the Parliament door, and whispered some of the Apprentices in the ear, and encouraged them, (supposed to be Mr. *Walker*.) Mr. *Walker* denied he spake then with any man in the *Lobby*, or saw any face that he knew there: Against Mr. *Walker*.

there; and so neglected the busines as a thing not considerable. But the next day *Corbet* moved that Mr. *Walker* might be ordered to put on his Gray suit again, and appear before the Close Committee, and the Witness, who saith, *he knoweth him again if he see him.* I hear Mr. *Walker* desired to know (seeing the Witness had not named him) by what Authority the examiners should take such a Deposition, and make application thereof to him; And seeing there were many Gentlemen in the House that day with whom that Character agreed as well as with himself, why the Reporter did not move that all to whom that Character was appliable might be put to that test as well as himself, but single him out for a mark to shoot at; complaining, that he was not ignorant out of what quiver this Arrow came: he had been threatned with a revenge by some of that Close Committee, and had other Enemies amongst them, that could bite without barking. He told them that yesterday Mr. *Corbet* reported that the supposed old man whispered, &c. but desired those that were then in the House to call to mind that the noise was then so great in the *Lobby*, that no whisper, nay the loudest words he was able to speak could not be heard. Then *Corbet* changed his Tale, saying, the words were, *What you do, do quickly*; and were spoken aloud; and said the Character agreed best with Mr. *Walker*, for that the Deponent said, the Gentleman was a Lean meager man.

Here Mr. *Walker* desired the House to take notice, that the Reporter had twice varied his Report. 1. In the words spoken, from a *whisper* to *loud speaking*. 2. In the Character inlarged with the words *lean and meager*. Here is hail-shot provided, if one miss the other must hit; Yet with this addition, there were divers in the House with whom the Character agreed as well as with himself. And by the incivility of his words, it should seem the Witness is a man of no breeding; wherefore he desired to hear his *name*, that he might inquire of his credit and repute. If the Reporter thinks he may be practised, he doth not think him a man of honesty, and then he had more cause to suspect him. He farther complained, that to make Hue and Cry after him (as it were upon fresh sute) upon a Character of his person and cloaths five or six weeks after the supposed fact (he never having absented

ted himself one day from the House) favoured too much of a party overswayed with malice and revenge.

Your Close Committee of Examination carry on businesses so in the dark (being parties engaged with the Army, and not sworn to be true in their office) that no man can see how to defend himself, or how he is dealt with, or when he is free from trouble and danger. It seems we are here called *ex tempore* to answer for our lives, *ore tenus*; and our Accusation beginneth with the Examination of our persons, to make us state a Charge against our selves, to betray our selves, and cut our own throats with our tongues, contrary to *Magna Charta*, *the Petition of Right*, and all those Laws of God and Man, which in the Kings time were in use; and no Witnesses are produced, nor so much as named: methinks therefore we are compelled to play at *blind-man bough* for our lives, not seeing who strikes us. You have the most summary way of hanging one another that ever I saw; it is a kind of *Star-chamber* proceeding in matter of life and death; your secret Examinations savours so much of the *Spanish inquisition*, and of the *Council of troubles* erected by the Duke *d'Alva* in the *Low-countries* (called *Consilium Sanguinis*) that they can never agree with the *Laws and Nature of our Nation*: if our Kings shall imitate you hereafter, they will be the greatest Tyrants in the World. Formalities and Privileges of Court, derogating from the common Rules of Law, and practice of the Land, are but curtains drawn before oppression and tyranny to dazle mens eyes. Give me leave to tell you, that I have served you faithfully from the beginning, and have taken as much pains, and run as many hazards, as most men in your service, wherein I have lost my health, and above 7000l. of my Estate, without one penny compensation, as other men have had; nor have I laid my hand upon any mans money or goods, or had any gainfull imployment from you; I contented my self to serve my Country *gratis*, and with some little honour I had gotten thereby, whereof you have now robbed me, by a roving Accusation shot at randome at me. Had I cheated the State of 400000l. or 500000l. peradventure I might have been thought a Godly, confiding man, of right principles, and have had 100000l. given me for my pains. *Sir*, You have heard the voice of a Free-man (not of a slave) that dares keep his first Principles,

Religi-

Religion, Laws, and just liberties, whosoever lays them aside; and protest against Tyranny and oppression, wheresoever he finds it, whether in the Government of *one* or *many*. You may murder me by the Sword of Justice, but you cannot hurt me: but deliver me from the evils to come. Nor shall I be unwilling to suffer a Gaol-delivery of my Soul from the prison of my body when I am called to it.

When Mr. *Walker* had done his defence, the debate followed much to this purpose, *That to order him to appear in his Gray suit before the Close Committee and Witness was illegal, and against the Laws and Liberties of the Subject.*

1. *It is to help another to accuse himself; which is all one as if he did accuse himself.*

2. *To bid a Witness look upon a man* (after he is engaged to name some body) *is to prompt him to go no farther then the party shewed.*

3. *A Witness ought not to be twice examined against a man*, that is, *to draw him on by degrees to swear home, and to mend in his second Deposition what fell short in his first.*

4. *If the Witness first depose to the matter, not naming the party, and five or six weeks after declare the Person without Oath, this is no Deposition, and if the Oath be renewed, the Witness is twice examined.* So the business was laid by, and *Corbet* allowed to shew Mr. *Walker* casually as he could meet with him to his Witness, which was (in a manner) to draw dry-foot after him with his blood-hound.

I was the more curious in gathering the circumstances of this business out of the reports of many several men, in regard of the rareness of the case, and the exquisitness of the malice with which it was prosecuted. And it seemed to me the more admirable, because I hear generally that Mr. *Walker* hath always been opposite to all parties and factions, both *Presbyterian* and *Independent*, upon whom he looks as the common disturbers both of Church and Common-wealth, and enemies of peace. Nor could he ever be perswaded to be at any of their *Junto's* or secret meetings; and therefore it is not probable he should suddenly and in the open view of the House go forth and engage with a company of silly unarmed Apprentice Boys. But I hear they cannot endure his severity, nor he their knavery. What will not the malice

of

of a desperate Anabaptistical faction attempt they have long sported in the blood and treasure of the Land, as the *Leviathan* doth in the Waters; and do now keep up a a numerous army to carry on those designs by force, which they can no longer make good by fraud. All *England* is become as *Munster* was, and our *Grandees* suitable to *John of Leyden* and *Knipperdoling*.

The next report *Corbet* made concerning Mr. Recorder *Glyn*. The chief things objected were, *That he had frequented the Common Council, the Committees of the Militia and Safety, more then he was wont to do: That he was silent and made no opposition; and that he gave thanks to the Apprentices when they delivered their Petition to the City, offering their help for defence thereof against whomsoever.* Against Mr. Recorder *Glyn*.

The Recorder answered, *The Charge was long, and his Memory short: He desired time to examine his memory, concerning the circumstances of time, place, persons and other matters; and that he might examine Witnesses for clearing his innocency.* But his prosecutors (hoping to do more good upon him by way of Surprize, then in a deliberate and legal way of proceeding) put him upon it to answer *ex tempore*. He confessed and avoided some things, but denied the most material. He denied he was more frequent at their meetings then ordinary. For his silence, he alleged, he was but the Cities servant, and had no voice amongst them, but when his opinion was demanded: That he gave thanks to the Apprentices as a servant by command, yet had mixed some admonitions and reprehensions in his Speech to them.

So the Recorder withdrew. And presently *Hasterig* (according to his custome) moved judgment might be given against him. To which was answered, that the Recorder denied the principal parts of his Charge; and offered proofs by Witnesses: you must give him that leave, or take all parts of his speech for granted; as well that makes for him, as against him. Two or three days more will make this business ripe for judgment: let him have one judgment for all. If you judge him now to be expelled the House, he is already forejudged, and that will be a leading case to a farther judgment: for who dares acquit where you have condemned? A man ought to be but once judged upon one accusation. The dishonour of expulsion is a punishment exceeding death.

death, If you judge now upon one part of the Accuſation, and hereafter upon another part of the Accuſation, he will be twice condemned upon one Accuſation, and ſhall never know when he hath ſatisfied the Law, and endleſs vexation.

Yet *Haſlerig* moved he might receive judgment now, for what was already proved or confeſſed, to be expelled the Houſe, (ſaying, *The Lords went on without obſtruction in their buſineſſes, becauſe they had purged their Houſe*) and that he might be farther impeached hereafter upon farther hearing. So he was adjudged to be diſcharged the Houſe, committed to the Tower, and farther impeached hereafter.

Againſt S. *John Maynard.*

Sir *John Maynard* the ſame day was called to Anſwer. He deſired a copy of his Charge, with leave to Anſwer in writing by advice of Counſel, as the 11. Members formerly did; to examine Witneſſes on his part, and croſs examine their Witneſſes. But theſe requeſts were denied, & he commanded to Anſwer *ex tempore*. He gave no particular Anſwer, but denied all in general: as Col. *Pride* (whom he cited for his preſident) had formerly done at their Bar. He was adjudged to be diſcharged the Houſe, committed to the Tower, and farther impeached.

The like for Commiſſary General *Copley*, whoſe caſe differed little.

Againſt the 7. Lords.

The 8. of *Sept.* the Earls of *Suffolk*, *Lincoln*, *Middleſex*, the Lords *Berkley*, *Willoughby*, *Hunſdon*, *and Maynard*, were impeached of High Treaſon in the name of the Commons of *England*, *for leavying War againſt the King*, *Parliament*, *and Kingdom*. The Earl of *Pembroke* (then ſent to *Hampton Court* with the Propoſitions on purpoſe to avoid the ſtorm) was omitted untill Wedneſday following, and ſo had the favour to be thought not worth remembring.

Sir *John Evelin* the younger ſent up to the Lords with the *Impeachment*, and a deſire they might be committed. They were committed to the *Black Rod*; and ſo the engaged Lords had their Houſe to themſelves according to their deſires.

30. Schiſmatical Petitions.

The 14. *Sept.* A Petition from divers Schiſmaticks in *Eſſex* came to the Houſes, bearing this Title, *To the Lords and Commons in Parliament aſſembled, diſtinct from the Lords and Commons that ſate in abſence of the two Speakers.*

16. *Sept.*

16. *Sept.* a Petition from divers Sectaries of *Oxfordsh. Bucks, Berksh.* was delivered to the House against divers Members sitting in the House, *Enemies to God and Godliness, Enemies to the Kingdom, &c. Usurpers of Parliamentary authority, who endeavoured to bring in the King upon his own Terms.* They desired *a free Parliament, and that* (according to the desires of the Army) *those that sate when the Parliament was suspended in absence of Tythes, &c.* in it. Such another Petition came but the day before from *Southwark.*

These Petitions were all penned by the engaged party of the Houses and Army, and sent abroad by Agitators to get subscriptions. The design was to put the two parties in the House into heights one against another, to make the lesser party in the House (*viz.* the ingaged party, but 59.) to expel the greater party, being about 140. whereby the House might be low and base in the opinion of the people, and no Parliament, and so leave all to the power of the Sword. The Army daily recruiting, and thereby giving hopes to all loose people, that the Army should be their common Receptacle, as the sea is the common Receptacle of all waters, because those who had no hopes to be Members of Parliament, might become Members of this Army. Besides their plausible way of prompting the people to Petition against Tythes, Enclosures, and Copy-hold fines uncertain, was to encourage them to side with the Army against all the Nobility, Gentry, and Clergy of the Land, (from whom the Army did most fear an opposition) and to destroy Monarchy it self: since it is impossible for any Prince, to be a King only of Beggers, Tinkers, and Coblers. The aim of these Petitions.

But these interloping discourses omitted, let us again return to these prodigious Impeachments. The next in order comes in the Lord Mayor, Aldermen and Citizens, with whom short work was made. Impeachments were sent to the Lords against them, and they sent to the Tower upon a bare report of the Inquisitor-general *Corbet*, and the reading of some depositions, the Witnesses names for the most part concealed, and none of them so much as called to the Commons Bar, to see what they could say for themselves, contrary to *Magna Charta*, 29. *ch.* and contrary to 28. *Edw.* 3. enacting, *That no man shall be put out of his Land, &c. nor taken, nor Imprisoned, &c. or put to death, &c. without being* Against the Lord Mayor, Aldermen and Citizens.

brought to answer by due proceſs of Law. That is, according to the *Stat.* 42. *Ed.*3. *c.*3. *That no man be brought to answer without preſentment before Juſtices, or matter of Record, or by due proceſs, or writ original according to the old Law of the Land:* not according to new invented Articles of Impeachment, but according to thoſe Laws that were well known, and old in *Edw.*3. time. See *Stat.* 37. *Ed.*3. 1. *Ed.*6. *ch.* 12. 6. *Ed.*6. *c.*11. and the *Stat.* 25. *E.*3. ſaith, *No man ſhall be taken by Petition or ſuggeſtion made to the King or his Counſel, &c.* and the Houſe of Peers is no more but the Kings Counſel, as anon I ſhall make evident.

51. Arguments againſt impeachments before the Lords.

It was moved by divers, that theſe Gent. might be tryed according to Law at the Kings Bench, by a Jury of twelve men *de vicineto*, their Peers and Equals to judg of matter of fact alleging that the Common Law was the Birthright of all the free People of *England*: which was one of the 3. Principles for which the Parliament ſo often declared in print that they fought, and for defence whereof they had entered into a covenant, *with their hands lifted up to God*: the other two principles were *Religion* and *Liberties*.

1. *The Lords were not Peers to the Commoners*: *At the common Law they ſhall have ſworn Judges for matter of Law, of whom they may aſk queſtions in doubtfull points, nor can they be Judges in their own caſes.*

2. *They have ſworn Jurors of the Neighbourhood for matter of fact, whom they may challenge.*

3. *The known Laws and Statutes for Rules to judg by, which in caſe of Treaſon is the* Stat. 25. Ed. 3. *you cannot Vote nor declare a new Treaſon*: And if you could, *to do it* Ex poſt facto, *is contrary to all rules of juſtice*: The Apoſtle ſaith, *ſin is a breach of a Commandment* (or Law) *I had not known ſin but by the Law*: the Law therefore muſt go before the Sin.

4. At the Common Law, *They have Witneſſes openly and newly examined upon Oath before the accuſed's face, who may except againſt them and croſs examine them.*

5. *Even in Star-chamber and Chancery* (where only hearings are upon Teſtimonies) *the Examiners are ſworn Officers.*

6. *A man hath but one Tryal and Judgment upon one accuſation*: ſo that he knows when he hath ſatisfied the Law.

In this way of proceeding, all theſe neceſſary legalities are laid by;

by; and these Gentlemen have not so much fair play for their Lives and Estates, as *Naboth* had for his Vineyard: he had all the formalities of the Law; yea, he had Law it self; yet he had not justice, because they were the sons of *Belial* that were set before him: what shall we conceive these Witnesses are that do not appear? nay, whole very names are concealed? yet *Naboth* was murdered by the sword of Justice: for the honour of Parliaments give not the People cause to suspect these Gentlemen shall be so too: *non recurrendum ad extraordinaria, quando fieri potest per ordinaria.*

But all this was but to charm a deaf Adder: the nine or ten engaged Lords that then possessed the House, were thought to be fitter than a jury of *Middlesex* to make work for the hang-man, and yet they have *no Judicature over the Commons*, as appears by the President of Sir *Simon de Berisford, william Talboys and the* City of *Cambridge*. Note that one president against the Jurisdiction of a Court is more valued than a hundred for it: because the Court cannot be supposed ignorant of the Law, and its own rights; but a particular man or Client may: see Sir *John Maynard's Royall quarrel, and his Laws subversion*, Lieutenant Col. *Lilburn's Whip for the present House of Lords*, and Judge *Jenkins Remonstrance to the Lords and Commons of the two Houses of Parliament*, dated 21 *Feb.* 1647. As for the cases of *Weston, Gomeres*, and *Hall*, (cited by Mr. *Pryn.*) they were for facts done beyond Sea, and before the *Stat.* 1. *Hen.* 4. *ch.* 14. whereof the Common Law could then have no connusance, and therefore an extraordinary way of proceeding before the Lords was requisit, and by the Kings special authority it was done, without which (I dare boldly affirm) the Lords have no Judicature at all; which thus I make appear.

52. Arguments proving the Lords to have no power of Judicature over the Commons.

1. The King by delivering the Great Seal to the Lord Keeper, makes him *Keeper of his conscience* for matter of equity; By His *Brevia patentia* to the *Judges of the two Benches and the Exchequer* the King makes them *administrators and interpreters of his Laws*: But he never trusts any but himself with the power of pardoning and dispensing with the rigor of the Law in Criminal cases. And though the Lord Keeper is Speaker of the Lords House of course, yet he is no Member of the Lords House *virtute Officii*: the Judges

53. The House of Peers no Court of Judicature at all properly and *per se*.

ges are not Members, but assistants only: so that no man in the House of Peers, as he is simply a Peer, is trusted by the King either with dispensation of Law, or Equity.

2. When a Peer of Parliament, or any man else is tried before the Lords in Parliament criminally, he cannot be tryed by his Peers only, because in acts of judicature there must be a Judge Superior, who must have his inferiors ministerial to him: therefore in the trial of the Earl of *Strafford* (as in all other trials upon life and death, in the Lords House) the King grants his Commission to a *Lord high Steward* to sit as Judg, and the rest of the Lords are but in the nature of Jurors. So that it is the Kings Commission that Authorizeth and Distinguisheth them.

3. When a Writ of error issueth out of the Chancery to the House of Peers, they derive their Authority meerly from that writ.

For the three Reasons aforesaid, the House of Peers is no Court of Judicature, without the Kings special Authority granted to them, either by his writ, or his Commission; and the Lords by their four Votes having denied all further address or application to the King, have cut off from themselves that fountain from which they derived all their power; and all trials by Commission must be upon Bills or Acts of Attainder, not by *Articles of Impeachment*, a way never heard of before this Parliament, and invented to carry on the designs of a restlesse impetuous faction: Had the Faction had but so much wit as to try the Gentlemen by Commission of *Oyer* and *Terminer* before Sergeant *Wild*, he would have borrowed a point of Law to hang a hundred of them for his own preferment.

Observe, that almost all the cases cited by Mr. *Pryn* concerning the Peers trials of Commissioners were Authorised by the King upon the special instance of the House of Commons: as for the House of Commons, they never pretended to any power of Judicature, and have not so much Authority as to Administer an Oath, which every Court of Pye-Poulders hath.

54. Blank impeachments dormant.

But this way of tryal before the pre-ingaged Lords and upon *Articles of Impeachment*, (which they keep by them of all sorts and sizes fit for every man, as in *Birchin-lane* they have suits ready made to fit every body) was the after means to bring men

men to death, whom they feared living, had not a doubt of the Scots comming in taught them more moderation then their nature is usually acquainted with; and to fright away, (at least) put to silence the rest of the Members with fear of having their names put in blank Impeachments; and that it might be so apprehended, *Miles Corbet* moved openly in the House of Commons that they should proceed with the Impeachments which were ready, nothing wanted but to fill up the Blanks, they might put in what names they pleased. This Inquisitor General, this Prologue to the Hang-man, that looks more like a Hang-man then the Hang-man himself, hath since gotten a rich office of *Register of the Chancery*, as a reward for his double diligence: Oh Sergeant *Wild* and Mr. *Steel* despair not of a reward.

Friday 27. *Sept.* the advice of Sir *Tho. Fairfax* and his Council of War was read in the House of Commons, What standing forces they ought to keep up in *England* and *Wales*, and what Garrisons; also what forces to send for *Ireland*; namely, for *Ireland*, 6000. foot, and 2400. horse, out of the supernumerary loose forces, being no part of the army; and for *England*, upon established pay 18000. foot at 8d. *per diem*. 7200. horse at 2s. *per diem* each Trooper, 1000. Dragoons, and 200. Fire-locks, Train of Artillery, Arms and Ammunition, to be supplied. The foot to be kept in Garrisons, yet so that 6000. may be readily drawn into the Field. 55. Establishment for the Army.

The Independent party argued, that the army were unwilling to go for *Ireland*, pretending their engagement to the contrary; If you divide or disband any part of your army, they will suspect you have taken up your old resolution against them, to disband the whole army: it is now no time to discontent them, when the Kings answers to your Propositions tend to divide you and your army, and the people are generally disaffected to you.

The Presbyterian Party argued, that the engagement of the army ought to be no rule to the Counsels of the Parliament; otherwise new engagements every day may prescribe the Parliament new Rules; we must look two ways. 1. Upon the people unable to bear the burthen. 2. Upon the army. Let us keep some power in our own hands, and not descend so far below

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the dignity of a Parliament, as to put all into the hands of the General and his Council of war. You have almost given away all already. The army adviseth you to keep up your Garrisons, then upon mature deliberation this House formerly Voted: you have already made Garrisons manned with gallant and faithfull men, to whom you owe Arrears; to remove them, and place new Souldiers in their rooms, will neither please them, nor the places where they are quartered, who being acquainted with their old guests, will not willingly receive new in their rooms. These men have done you as good and faithfull service as any in the Army; and were ready to obey you and go for *Ireland*, had they not been hindred by those, who under pretence of an engagement to the contrary (which they mutinously entred into) will neither obey you nor go for *Ireland*, nor suffer other to go Though you discharge these men without paying their Arrears, (which others of other principles will not endure) yet give them good words. If you will be served by none, but such as are of your new principles, yet consider your Army are not all alike principled, and peradventure the old principles may be as good as the new for publick, though not so fit for private designs and purposes. You have passed an Ordinance, *That none that have born Arms against the Parliament shall be imployed*: If you disband all such, your Army will be very thin; many have entred into pay there in order to do the King service, and bring the Parliament low. There is no reason you should keep up 1400 horse more than you last voted to keep up, being but 5800 at which time 60000l. a month was thought an establishment sufficient both for *England* and *Ireland*. But now the whole charge of *England* and *Ireland* will amount to 114000l. a month, which must be raised upon the people, either directly and openly by way of sessement, or indirectly and closely, partly by sessements, & partly by free-quarter & other devices: nor will the pay of 2s. *per diem* to each Trooper, and 8d. to each foot Souldier enable them to pay their quarters. If you mean to govern by the Sword, your army is too little: if by the Laws and justice of the Land, and love of the people, your Army is too great: you can never pay them, which will occasion mutinies in the army and ruine to the Country. Thus disputed the Presbyterians, but to no purpose, it was carried against them.

Ob-

Observe that when the War was at the highest, the monthly tax came but to 540001. yet had we then the Earl of *Essex's* Army, Sir *William Waller's*, My Lord of *Denbigh's*, M. Gen. *Poyntz's*, M. Gen. *Massey's*, M. Gen. *Laughorn's*, Sir *William Brereton's*, Sir *Th. Middleton's* Brigades, and other forces in the field, besides Garrisons.

But now this army hath 600001. a month, and 200001. a month more pretended for *Ireland*; which running all through the fingers of the Committee of the army. 56. Monthly taxes.

That Kingdom (which is purposely kept in a *starving condition* to break the Lo. *Inchequins* army, that *Ireland* may be a *receptacle for the Saints*, against *England* spews them forth, hath nothing but the envy of it, the sole benefit going to this army. This 200001. a month being a secret unknown to the common Souldiers, the *Grandees of the army* put it in their own purses. 57. Ireland why kept in a starving condition.

Moreover, this army hath still a kind of free-quarter, (under colour of lodging, fire and candle,) for who sees not that these masterless guests upon that interest continued in our houses, do and will become Masters of all the rest? and who dares ask money for quarter of them, or accept it when it is colourably offered, without fear of farther harm? besides, the army, (whose requests are now become Commands) demanded that they might have the leavying of this Tax, and that their accounts might be audited at the Head-quarters; and though the Officers of this army (to catch the peoples affections) encouraged them often to Petition the Houses against Free-quarter, pretending they would forbear it, after an establishment setled upon them; the use their party in the House made of these Petitions, was to move for an addition of 100001. or 300001. a month, and then they should pay their quarters, lodging, fire and candle, nay stable-room too excepted.

Here it is not amiss to insert a word or two of this villanous oppression, Free-quarter; whereby we are reduced to the condition of conquered Slaves, no man being Master of his own Family, but living like Bond-slaves in their own Houses, under these *Ægyptian Task-masters*, who are spies and intelligencers upon our words and deeds, so that every mans table is become a snare to him. In the third year of King CHARLS, the Lords 58. Free-quarter.

and

and Commons in their Petition of Right (when not above 2000. or 3000. Souldiers were thinly quartered upon the people but for a moneth or two) complained thereof to his Majesty as a great grievance, contrary to the Laws and Customes of the Realm, and humbly prayed as their right and Liberty, according to the Laws and Statutes of this Kingdom, that he would remove them; and that his people might not be so burthened in time to come, which his Majesty graciously granted. Yet now we are ten thousand times more oppressed with them, and if these quarterers offer violence or villanous usage to any man in his house or family, or commit murder or felony, they are protected against the Laws and Justice of the Land, and *Triable only by a Council of War* at the Head-quarters, where a man can neither obtain justice, nor seek it with safety. So that we live under the burthen of a perpetual Army of 30000. or 40000. men, exempt from all but Martial Law, which frequently oppresseth, seldom righteth any man: witness *Oliver Cromwel's* taking of *Tompson* (being no Souldier) from the House of Commons door with Souldiers, imprisoning and condemning him at a Council of War, where he sate Judg in his own cause, there being a quarrel between them; yet it was held Treason in the Earl of *Strafford*, to condemn the Lord of *Valentia* so, being a Member of his Army, because it was in time of Peace, as this was. Many other examples we have of the like nature, and of this Army, enough to perswade us, that these *vindicative Saints* will not govern by the known Laws of the Land, (for which they have made us spend our money and blood) but by Martial Law, and Committee Law, grounded upon Arbitrary Ordinances of Parliament, which themselves in the first part of *exact Collections*, p. 727. confess, are not laws without the Royal assent.

59. Martial Law.

This Army hath been daily recruited without any Authority, far beyond the said number or pay established; the supernumeraries living upon free-quarter: and when complaints have been made thereof in the House, the Army being quartered in several Brigades, supernumeraries have been disbanded in one brigade, & their Arms taken by their Officers, and shortly after they have been listed again in another Brigade, and their Arms sold again to the State, after a while to new Arm them. And of this sort were

60. Cheats put upon the State.

were those Arms which being found in a Magazin in Town by some Zealots, and rumoured to belong to the City for the arming of Reformado's, were upon examination found to belong to *Oliver Cromwel*: so the business was buried in silence; for though the Kings oversights must be tragically published to the world, yet the haynous crimes of the godly must lie hid under the mask of Religion.

61. Arrears secur'd although the State ows them nothing.

And though they have usually taken free-quarter in one place, and taken Composition money for free-quarter in another place, some of them in two or three places at once 3s. a day, some so them 5s. for a Trooper, and 1s. a day, and 1s. 6d. for a foot souldier, whereby no arrears are due to them, but they owe money to the State, yet they have compelled the Houses to settle upon them for pretended Arrears,

1. The moity of the Excise (that they may have the Souldiers help in leavying it; although to flatter the people, the Army had formerly declared against the Excise.)
2. The moity of *Goldsmiths-hall*.
3. Remainder of Bishops Lands.
4. The Customes of some Garrisons.
5. Forrest Lands.

This Army brags *They are the Saviours* (nay Conquerours) *of the Kingdom*. Let them say when they saved it, whether at the Fight at *Naseby*, or taking in of *Oxford*, and we will pay them according to the then list. And for all the recruits taken in since the reducing of *Oxford*, it is fit they be disbanded without pay, having been taken in without, nay, against Authority, to drive on wicked designs, and enthrall King, Parliament, City, and Kingdom.

62. 4. Dethroning Bils presented to the King at *Carisbrook Castle*.

24. *Decemb.* 1647. The two Houses by their Commissioners presented to the King (at *Carisbrook-Castle*) 4. Bills to be passed as Acts of Parliament, and divers Propositions to be assented to. They are all printed, so is his Majesties answers to them, wherefore I shall need to say the less of them, only a word or two to two of the Bills.

63. Acts for the Militia.

1. The Act for *raising, setling, and maintaining Forces by Sea and Land, within the Kingdoms of* England *and* Ireland, Wales, *&c.* (though it seems to be but for 20. years) doveats the

King, his Heirs, and Successors, of the power of the Militia for ever, without hope of recovery but by repealing the said Act, which will never be in his nor in their power: for,

First, it saith, *That neither the King, nor His Heirs, or Successors, nor any other, shall exercise any power over the Militia by land or sea, but such as shall Act by authority and approbation of the said Lords and Commons:* That is, *a Committee of State* of twenty or thirty *Grandees*, to whom the two Houses shall transfer this trust, being over-awed by the army, (for the ground-work of this Committee was laid by these words, though the Committee be erected since.)

And Secondly, it prohibiteth the King, His Heirs and Successors, &c. after the expiration of the said 20. years, to exercise any of the said powers without the consent of the said Lords and Commons, and in all cases wherein the said Lords and Commons shall declare the safety of the Kingdom to be concerned after the said 20. years expired, and shall pass any Bills for raising, arming, &c. Forces by Land or Sea, or concerning Leavying of Money, &c. if the Royal assent to such Bills shall not be given by such a time, &c. then such Bills so passed by the Lords and Commons shall have the force of Acts of Parliament without the Royal assent. Lo, here a foundation laid to make an *Ordinance of both Houses* equall to an *Act of Parliament*, and take away the *King's Negative Voice*, if this be granted in one case, it will be taken in another, and then these subverters of our Religion, Laws, and Liberties, will turn their usurpations into a legal Tyranny.

2. It gives an unlimited Power to the two Houses to raise what Forces and what numbers for Land and Sea, and of what persons (without exceptions) they please, and to imploy them as they shall judge fit.

3. To raise what Money they please for maintaining them, and in what sort they think fit, out of any mans Estate. This is a Tax far more Arbitrary and unlimited then Ship-money, and the more terrible because it depends upon the will and pleasure of a multitude; who to support their own tyranny, and satisfie their own hunger after other mens goods, may and do create a *necessity*, and then make that *necessity* the *law* and *rule* of their *actions*

ous and our *ſufferings*: beſides, they are but our fellow ſubjects that uſurp this Dominion over us, which aggravates the indignity. If the 24. *Conſervators* of the *Peace* in *Hen.* 3. time, were thought a burden to the Commons, and called *totidem tyranni*; what will our *Grandees* prove when the *Power of the ſword* is theirs by *Act of Parliament*? Beſides, if the King give them his Sword, they may take all the reſt of the Propoſitions demanded without a Treaty.

64. Bill for adjournment of the Parliament as well for Place as time.

The *Bill for adjournment of both Houſes to any other place, &c.* will enable the engaged party of the two Houſes and army to adjourn the two Houſes from time to time, to, or near the Head-quarters of the Army; where thoſe Members that refuſe to enter into the ſame Engagement, ſhall neither ſit with accomodation nor ſafety, and ſo be ſhaken off at laſt: this is a new way of *purging the Houſes*. Beſides, the Parliament following the motions of the Army, the King ſhall follow the Parliament, whereby the Army having both King and Parliament preſent with them, whatſoever attempt ſhall be made againſt the Army, ſhall be ſaid to be againſt the ſafety, and Authority of the King and Parliament, and a legal Treaſon, triable by Indictment, not a conſtructive Treaſon only triable before the Lords.

Note this Meſſage to the King, *plus ſignificat quam loquitur*, though it holdeth forth but four Demands to open view, yet it includes five; for, if the King paſſe theſe four Bils, as Acts of Parliament, either he muſt do it by his perſonal preſence in the Houſe of Peers, or by His Commiſſion under the Great Seal; and ſo conſequently muſt confirm the Parliaments Great Seal, and all things done by it, (to the nullifying His own Great Seal at *Oxford*.) His perſonal preſence they will not admit; for, though they pretended heretofore they took up Arms to bring *the King to his Parliament*, yet now they continue in Arms *to keep Him from His Parliament*, leſt the preſence of the true Sun ſhould obſcure ſuch Meteors, and *Ignes fatui*, as they are. Though this may be Godly and Saint-like dealing, yet it is not plain nor fair dealing, *latet anguis in herba*, there is *Coloquintida*, nay death in the pot.

65. The Kings anſwer debated.

Monday 3 *Jan.* the *Kings Anſwer* to the ſaid *Bils* and *Propoſitions* was debated in the Houſe of Commons. And firſt, Sir *Thomas Wroth* (*Jack-Pudding* to *Prideaux* the Poſt-maſter) had his

cue to go high, and feel the pulse of the House; who spake to this purpose, *That* Bedlam *was appointed for madmen, and* Tophet *for Kings: that our Kings of late had carried themselves as if they were fit for no place but* Bedlam: that his humble motion should consist of three parts.

1. *To secure the King, and keep him close in some inland Castle with sure guards.*

2. *To draw up Articles of Impeachment against him.*

3. *To lay him by, and settle the Kingdom without him; he cared not what form of Government they set up, so it were not by Kings and Devils.*

Iretons speech. Then Commissary *Ireton* (seeming to speak the sense of the Army, under the notion of many thousand Godly men who had ventured their lives to subdue their enemies) said after this manner, *The King had denied safety and protection to his people by denying the four Bils; that subjection to him was but in lieu of his protection to his people; this being denied, they might well deny any more subjection to him, and settle the Kingdom without him: That it was now expected, after so long patience, they should shew their Resolution, and not desert those valiant men who had engaged for them beyond all possibility of retreat, and would never forsake the Parliament, unless the Parliament forsook them first.*

Cromwel's speech. After some more debate, when the House was ready for the question, *Cromwel* brought up the rear, and giving an ample Character of the valour, good affections, and godliness of the Army, argued; *That it was now expected the Parliament should govern and defend the Kingdom by their own power and resolutions, and not teach the people any longer to expect safety and government from an obstinate man, whose heart God had hardned: That those men who had defended the Parliament from so many dangers with the expence of their Blood, would defend them herein with fidelity and courage against all opposition. Teach them not by neglecting your own and the Kingdoms safety (in which their own is involved) to think themselves betrayed, and left hereafter to the rage and malice of an irreconcileable enemy whom they have subdued for your sake; and therefore are likely to find His future Government of them insupportable, and fuller of Revenge than Justice, lest despair teach them to seek their safety by some other means then adhering to*

you,

you, who will not ſtick to your ſelves; and how deſtructive ſuch a reſolution in them will be to you all, I tremble to think, and leave you to judge.

Obſerve, he laid his hand upon his Sword at the latter end of his ſpeech; that Sword which being by his ſide could not keep him from trembling when S. *Philip Stapleton* baffled him in the Houſe of Commons.

This concluding Speech having ſomething of menace in it, was thought very prevalent with the Houſe.

66. The 4. Bils for no addreſſes nor applications paſſed.

The firſt of the four queſtions being put, *That the two Houſes ſhould make no more Addreſſes nor Applications to the King*; the Houſe of Commons was divided, 141. *yeas* to 91. *noes*, ſo it was carried in the Affirmative.

The other three Votes followed theſe Votes with facility: See them in print. Upon the laſt of theſe 4. Votes the Houſe was divided, and candles were Voted to be brought in only to tell the Houſe; yet (contrary to the ſaid Order) when the candles were in, they proceeded farther, as followeth:

67. The Committee of Safety revived.

The Members had been locked into the Houſe of Commons from before nine of the clock in the morning to ſeven at night, and then the doors were unlocked, & what Members would, ſuffered to go forth, whereby many Presbyterians thinking the Houſe had been upon riſing, departed, when preſently (the Houſe being grown thin) the Vote to revive the Committee of both Kingdoms called *the Committee of ſafety at* Darby-houſe, paſſed by Ordinance dated 3. *Jan.* 1647. in theſe words; *Reſolved, &c. That the powers formerly granted by both Houſes to the Committee of both Kingdoms*, (viz. England *and* Scotland) *in relation to the two Kingdoms of* England *and* Ireland, *be now granted and veſted in the Members of both Houſes onely that are of that Committee, with power to them alone, to put the ſame in execution.* The original Ordinance that firſt erected this Committee, and to which this ſaid Ordinance relates, beareth date 7. *February* 1643. in which the Engliſh Committees were appointed from time to time, to propound to the Scotiſh Commiſſioners whatſoever they ſhould receive in charge from both Houſes, and to make report to both Houſes, to direct the managing of the War, and to keep good correſpondency with forein States, and to receive directions from

from time to time from both Houses, and to continue for three months and no longer. But this Ordinance, 3. *January* 1647. vests the said power in the Members thereof onely, and alone: words excluding the two Houses; and for a time indefinite.

* There were then added to this Committee, *Nathaniel Fiennes*, in place of Sir *Phil. Stapleton*; Sir *John Evelin junior*, in place of M. Recorder; and the Earl of *Kent*, instead of the Earl of *Essex*, 22. *Jan.* following, the Lords sent down a Message for a farther power to this Committee, which was granted in these words, *Power to suppress Tumults and Insurrections in* England, *&c. and at* Barwick; *and for that purpose the Committee to have power to give Orders and Directions to all the Militia and Forces of the Kingdom.* The addition of four Lords and eight Commoners likewise to this Committee was desired, but denyed.

* The Members of this Committee are now, the E. of *Northumberland*, *Robert* E. *of Warwick*, the E. *of Kent*, *Ed.* E. *of Manchester*, *Wil.* L. *Say* and *Seal*, *Phil.* L. *Wharton*, *Jo.* L. *Roberts*, *Will. Pierrepoint*, Sir *Hen. Vane* sen. Sr. *Gilbert Gerrard*, Sr. *Wil. Armine*, Sr. *Ar. Haslerig*, Sr. *Hen. Vane* jun. *Jo. Crew*, *Rob. Wallope*, *Oliver* St. *Johns*, Sol. *O. Cromwel*, *Sa. Brown*, *Nath. Fiennes*, Sr. *Jo. Evelin.* jun.

68. *Whitehall* and the *Mews* Garrisoned.

Friday 14. *January*, after a long debate, it was ordered that Sir *Lewis Dives*, Sir *John Stowel*, and *David Jenkins*, be tryed as Traytors at the Kings Bench; the Grand Jury had found the Bill against *Jenkins*. Mr. Solicitor, &c. appointed to manage this business, * but *Jenkins* is so great a Lawyer, that the Solicitor durst not venture upon him, the long sword being more powerfull in his mouth then the Law; wherefore the Solicitor found an Errour in the indictment, turned him back again upon the House to be impeached before the Lords, to whose Jurisdiction he pleaded: so the Solicitor put the affront from himself upon the Houses. It was now twelve of the clock, and many of the Independent party began to cry, *Rise, rise*; The Presbyterians thinking all had been done, many went to Dinner, yet the Independents sate still, and finding the House for their turn, moved, *That a Letter might be forthwith sent to* Sir *Thomas Fairfax*, *to send a convenient number of Foot to Garrison* White-hall, *and a party of Horse to quarter in the* Mews. The Lords concurrence was not desired to this Vote, but the Letters immediately drawn and sent.

* See Judge *Jenkins*'s Remonstrance to the Lords and Commons of Parliament, 21. *Feb.* 1647.

Observe, that before this Vote passed, divers forces were upon

upon their March towards the Town, and came to *White-hall* Saturday following by eight of the Clock in the morning.

69. The Armies Declaration, thanking the Commons for their 4. Votes.

Saturday 15. *Jan.* The army sent a Declaration to the House of Commons, *Thanking them for their 4. Votes against the King*, promising them *to live and die with the Commons, in defence of them against all Opponents.*

70. The Lords pass the 4. Votes.

Many of the Lords had argued very hotly against the said four Votes, insomuch that it was 10. Lords to 10. but this engagement of the army, and the unexpected garrisoning of *White-hall*, and the *Mews*, turned the scales; so that they passed the said 4. Votes, only adding a short preamble (little to the purpose) holding forth some reasons for passing them, to which the Commons, when they come down, assented. When presently (about twelve of the clock the House being thin) *Dennis Bond* moved, *That whosoever should act against those 4. Votes, or incite other to act against them, should be imprisoned and sequestred.*

71. The Army thanks the Lords.

Three or four days after the Lords had passed the said 4. Votes, the Army vouchsafed to spit thanks in their mouthes, and make much of them. These 4. Votes were generally sinisterly taken, and filled mens minds with suspicion, what form of Government the Grandees would set up, now they had laid by the King; and every mans mind presaged a new War, which they conceived the Independent grandees were willing to have, to colour their keeping up this army, and raising money to maintain them, and every man began to lay the project of a new war at their door; notwithstanding, (by way of prevention) they had Impeached divers Members, and Citizens of *London*, for endeavouring a new War, when they did but raise men for their self-defence.

72. The Declaration against the King.

To shew the people therefore the reasons of these 4. Votes, the Independent Grandees appointed a committee to search into the Kings conversation and errors of his Government, and publish them in a Declaration to the World: wherein they objected many high crimes against Him concerning His Fathers death, the loss of *Rochel*, and the Massacre and Rebellion in *Ireland*: which upon debate in the House, were very much moderated by the Presbyterians; of which Declaration I will only say, that they have set forth no new matter therein, which they have not formerly published in parcels, since which time they have

have taken, and caused others to take the National Covenant, whereby *they vow to maintain the Kings Person, Crown and Dignity in defence of Religion, Laws, and Liberties* : and therfore to reprint only the same things as arguments to lay by the King, savours more of design, than justice.

I will wade no farther in the censure of the said Declaration, lest I imitate the Authors of it; and as they by a feeble accusation have done the King much right, so I by a weak defence should do him much wrong.

73. Tho. Hasterig's Letter concerning the King.

The people were as ill satisfied with this Declaration, as with the 4. Votes; wherefore (24. *Feb.*) Mr. Speaker, with much seriousness, presented to the House a Letter out of *Leicester-shire* from *Thomas Hasterig*, (brother to Sir *Arthur*) which was read, to this purpose, *That there was one Mr.* Smalling, *a committee-man of* Leicester-shire, *who had been a deputy examiner in the* Star-chamber, *and affirmed, that above twenty years since there being a suit in* Star-Chamber *between the Earl of* Bristol *Complainant, and the Duke of* Buckingham *Defendant, concerning Physick presumptuously administred by the said Duke to King* James; *the said* Smalling *took many Depositions therein, and was farther proceeding in the Examinations, until a Warrant, signed by the King, was brought him, commanding him to surcease, and to send him the Depositions already taken; which* Smalling *did: yet kept notes by him of the Principal passages, doubting what farther proceedings might be hereafter in a business of such importance.* Sir *Henry Mildmay* moved that *Smalling* be sent for, and examined upon Oath by the Committee that penned the said Declaration; but upon motion of the Presbyterians, he was Ordered to be examined at the Commons Bar. *Smalling* came, produced the Warrant, but no Notes, so this *Chimera* vanished.

What the said Committee would have made of this, who knows? God bless us all from clandestine examinations, especially when they are taken by parties pre-ingaged.

3. *Caroli*, This business had been ventilated and examined against the Duke, and no mention made of poysoning or killing King *James*; it was then only called, *An Act of high presumption and dangerous consequence in the Duke*: nor was there then the least reflection upon King *Charles*; yet now because King *Charles* dissolved

dissolved that Parliament, the Independent party were willing to raise a suspition against him concerning His Fathers death: whereas the accusation against the Duke of *Buckingham*, 3. *Caroli*, contained 7. or 8. Charges against him, the least whereof might occasion the dissolving of that Parliament.

74. Why the independents were so high against the King: To usurp the regal power into themselves, either in the Houses purged, or in the Committee of Safety at *Derby house*.

These desperate courses (to dishonour the *King*, and make Him uncapable of Government, to ruine His Person, Crown and Dignity, and extirpate Monarchy root and branch) were taken in order to the *usurping the Kingly power into the Grandees of the Parliament and Army*, and in case they could not purge the two Houses, and make them wholly Independent, (which they now despair of) then into the Hands of the Committee, or Council of State at *Derby-house*, and *Grandees* of the Army. In order to which, they are now contriving to strengthen the said Committee with more power and more Members, and to adjourn the Parliament, and sent down the Presbyterian Members into the Country upon pretence of service, where if any Tumults happen (for which their extortions will give sufficient provocation) the said dissenting Members shall bear the blame; and have blank Impeachments given them to purge them out of the Houses, if not out of the world, or at least be sequestred: for now they have squeezed what they can out of the Kings party by Sequestrations, the next fewel to their covetousness is to sequester the Presbyterians; and then to sequester one another: for they are already divided into *Pure Independents* and *Mixed Independents*, and have feuds amongst themselves, for this faction (insatiate with money and blood) are all beasts of prey; and when they want prey, will prey one upon another: nor shall the Houses meet above one month or two in a year to ratifie and approve what *Derby-house*, and the *Junto* of the Army shall dictate to them; and to give an account to the domineering party how each Member hath carried himself in the Country. Thus instead of *one King*, we shall have *twenty* or *thirty tyrants* in chief, and as many subordinate Tyrants as they please to imploy under them, with the Iron yoak of an Army to hold us in subjection to their Arbitrary Government.

75. Why the Grandees do still continue to truck with the King, notwithstanding the said 4. Votes.

Notwithstanding the aforesaid four Votes and Resolutions, the Cabal of *Grandees* still keep *Ashburnham* and *Barkley* in the

Army, and have ſent divers Turn-coat-Cavaliers and Emiſſaries under-hand diſguiſed to the King, who pretending that by Bribes they had bought their admiſſion to Him, after ſome inſinuations endeavour with falſe and deceitfull news and arguments to ſhake His conſtancy, and perſwade him to paſs the ſaid 4. dethroning Bills, (for theſe Uſurpers of Sovereign Authority long to turn their armed and violent Tyranny into a legal Tyranny) or (at leaſt) to make him *declare againſt the Scots coming in.* In both which caſes He will diſ-hearten His Friends (who endeavour to take the golden reigns of Government out of the gripes of theſe *Phaetons*, and reſtore them again to His hand) unking Himſelf and His Poſterity for ever, be carried up and down like a ſtalking Horſe to their Deſigns, and be Crowned *Ludibrio Corona*, with ſtraw or thorns. For who can think that at the end of twenty years, theſe Uſurpers will lay down what they have ſo unjuſtly, contrary to all Laws, Divine and Humane, and contrary to their own Declarations, Oathes and Covenants, extorted? And who can, or dare, wreſt theſe powers out of their hands, being once ſetled and grown cuſtomary in them; the peoples ſpirits broken with an habitual ſervitude; a numerous Army and Garriſons hovering over them; and all places of Judicature filled with corrupt Judges, who ſhall by conſtrained interpretations of the Law, force bloody preſidents out of them, againſt whoſoever ſhall dare to be ſo good a Patriot as to oppoſe their Tyranny? They could make *Steel* ſharp enough to cut Captain *Burlies* throat for attempting to reſcue the King out of the hands of a *Rebellious Army, that neither obeys King nor Parliament*, will find gold and ſilver enough to *corrupt all the Judges*: the mean to prefer and make them *Wild* and *vild* enough for their purpoſes. But it is hoped He hath more of a King, more of man in Him then to leeſe his Principles, and ſtumble again at the ſame ſtone, daſh again upon the ſame Rock, whatſoever Syrens ſing upon it; knowing He hath a Son at liberty to revenge His wrongs, all the Princes of Chriſtendome His Allies, whoſe common cauſe is controverted in His ſufferings; the greateſt men of *England* and *Scotland* of His blood, and the People generally (whoſe fartheſt deſign was, to preſerve their Laws and Liberties, and to defend the Parliament from being conquered by the Sword)

Sword) looking with an angry aspect upon these Seducers, who by insensible degrees, and many forgeries have ingaged them further then they intended, not to the *Defence of Religion, Laws, and Liberties*, but to *the setting up of Schism, Committee Law, and Martial Law, Impeachment before the Lords, and unlimited slavery.*

And I am confident this Faction despairs of working upon the King, who like a Rock is *mediis tutissimus undis*, whatsoever reports they give out to the contrary, having from the beginning made lies their refuge, which being wisely foreseen by the King, He sent a Message to both Houses (by way of prevention) delivered in the Painted-Chamber by the Lord of *Lauderdale*, one of the Scots Commissioners, consisting of three heads,

1. *That He was taken from* Holdenby *against his will.*

2. *That they should maintain the Honour and Privileges of Parliament.*

3. *That they should believe no Message as coming from him during his Restraint in the Army, but should only credit what they received from His own mouth.*

These Grandees have cheated all the interests of the Kingdom, and have lately attempted the City again, & had the repulse. But the King is their old Customer, and hath been often cheated by them, and having him in strict custody, peradventure they may perswade Him it is for His safety to be deceived once more: wherefore (notwithstanding their many endeavours to root up Monarchy, dethrone the King, and His Posterity, and usurp his power; in order to which, they have over-whelmed Him, and all His, with innumerable calamities and reproaches) yet since the passing of the Declaration against the King, their desperate condition hath enforced them to make new Addresses in private to Him, notwithstanding their four Votes inflicting the *penalitie of Treason upon the Infringers*: But Treason is as natural to *Cromwel*, as *false accusing*, *protesting*, and *lying*; he is so superlative a Traytor, that the Laws can lay no hold on him. Lieutenant Colonel *Lilburn*, in a verbal Charge delivered at the Commons Bar, accused him of many Treasonable Acts, which he avowed to make good: and in his Book, called, *A Plea for a Habeas Corpus*: But as if *Cromwel* were a Traytor *cum privilegio*,

the House of Commons, (being under their Armed Guards) dares take no notice of it. But the *Roman Tribune* said to *Scipio Africanus*, in *Livy*, *Qui jus aequum ferre non potest, in eum vim haud injustam fore*, he that exalts himself above the Law, ought not to be protected by the Law.

To conclude, *Cromwel* hath lately had private conference at *Farnham* with *Hammond*.

The Earl of *Southampton* hath been courted to negotiate with the King, and offered the two Speakers hands for his warrant.

Capt. *Titus* taken into favour and imployed that way.

The *Grandees* have brought themselves into a mist, and now wander from one fooliſh deſign to another.

The Spaniard is said to forecast in his debates, what will happen forty years after. But these purblind Politicians do not foresee the event of their Council forty days, nay hours beforehand; but it is a curse laid upon wicked men, to grope at noon day.

76. Debates in the Hou. of Commons upon the Scots Letters, 1 Concerning the said 4. Votes.

About 5. or 6. of *Jan.* 1647. the Scots Commissioners had written certain Letters to the House of Commons; one whereof *repeating the four Votes against the King*, propounded to know, *whether the Houses by their Votes, That no person whatsoever do presume to make or receive any Application or address to, or from the King, would debar the* Scots *to make or receive any Addresses to, or from Him, and so put an incapacity upon Him to perform acts of Government towards them.* In the debate the Independents called to mind a more ancient Vote, whereby it was Ordered, *That the* Scots *might be admitted to the King*. Against which was alleged, *That these latter Votes, being made general, without exception, Repealed that former Vote*. At last by an interpretative Vote it was concluded, *That notwithstanding the said four latter Votes*, the former Vote, *That the* Scots *Commissioners might make Addresses to the King*, was still in force. Observe that this was done four or five days after the Scots Commissioners were on their way towards *Scotland*.

2. Concerning 100000l. due to the Scots.

The second Letter was concerning 100000l. due by contract to the Scots from the Parliament, whereof 50000l. was payable by assignment to divers Scots Gentlemen who had advanced money to hasten the Scots Army to our relief; whereof 10000l. was payable to the Earl of *Argyle*.

Sir

Sir *Henry Mildmay* made a long Speech in praise of *Argyle*; saying, *That he and his party, and the Scotish Clergy, were the onely men that upheld the English interest in* Scotland, *and were better friends to us then all* Scotland *besides*: wherefore he moved, that *Argyle* might be paid his 100000l. and the rest continued at interest, at 8l. *per cent*, Presently the whole Independent gang, with much zeal, and little discretion, ran that way, untill more moderate men stopping them in full cry, minded them what dishonour and danger they might bring their friend into by laying him open to suspition.

77. Six Commissioners sent into *Scotland*.

After this it was resolved to send four Commons and 2. Lords into *Scotland* as Commissioners, with instructions. To send all Independents, would not be acceptable; 2. Presbyterian Commoners therefore were sent, one whereof was sweetned with the gift of 1000l. and an Office, before they would trust him: with them were sent Mr. *Hearl*, and Mr. *Marshal*.

78. Mr. *Marshal*.

Marshal, when he saw Independency prevail, had secretly turned his coat the wrong side outward, & joyned interest with Mr. *Nye*; but before he declared himself, he was to do some service for his new party: wherefore when the Army looked with a threatning posture upon the Parliament and City, before they marched through *London*, (the common Souldiers being in such discontent for want of pay, that they were ready to mutiny and disband, and their Officers scarce daring to Govern them) the first fruits of *Marshal*'s service to his new friends, was, to perswade the City to lend the Parliament 50000l. to pacifie the Souldiers: assuring them by Letters, that the *Army had nothing but good thoughts toward the City, onely the common Souldiers were troubled for want of pay*: After the City had laid down the said 50000l. his next labour was, to perswade the Citizens to *let the Army march through the City without opposition, for avoiding of blood-shed and firing; and to let them possess the Tower, and Line of Communication*. After these services, the *Grandees* of the Parliament and Army, finding him suitable to them, received him into an avowed favour, and then four Independents and four Presbyterian Divines (conjoyning their Interests) were sent to season the Army, and new tune them according to the more modern design: *Marshal* was one, where, after he had preached according to the

the Dictates of the Grandees of the two Houses and Army for divers weeks, *Marshal* was thought fit to attend the Commissioners into *Scotland*: He and Master *Nye* had been sent to *Carisbroke Castle* formerly with those Commissioners that carried the 4. Bils to the King, and had 500l. a piece given them for their journey.

Scotland, a longer journey, promised a larger reward; it is good being a Postilion of the Gospel at such rates.

The Sunday before he went, he preached at *Margarets Westminster*, and as much cried up Presbitery and the Covenant there, as he had before slighted them in the Army. This was a *Preparation Sermon* to make him acceptable to Scots, that he might cajole them the easier. Before he went he sent his Agents from house to house at *Westminster*, to beg mens good wills towards his journey. He was willing upon this pretence to get what he could from St. *Margarets* Parish, where he found the people to grow cold in their affections, and contributions to him. Wherefore having made his bargain before he went, to have S. *Margarets*, and officiate in the *Abby* where he is to have 300l. *per annum* certain allowance, he would rob the *Ægyptians* at Saint *Margarets* for a parting blow. This Priest married his own Daughter with the Book of Common-prayer and a Ring, and gave for reason, *that the Statute establishing that Liturgy was not yet repealed, and he was loath to have his Daughter whored and turned back upon him for want of a Legal Marriage*: Yet he can declare against all use of it by others. He hath so long cursed *Meroz* and *neutrality*, that he hath brought Gods curse upon the Land, and hath put Church and Common-wealth into a *flame*, but himself and his Brats have *warmed their fingers at it*: as Monies are decried or enhaunsed by the Kings Authority, so is every mans Religion cryed up or down by *Marshal*'s authority and stamp.

76. The answer to the Scots Declaration.

About the 24. of *February*, the *answer* to the *Scots Declaration* began to be debated in parts: in which Debate the *Covenant* was much undervalued, and called, *An Almanack out of Date*. *Nathaniel Fiennes* argued against it, That that clause in the Covenant, [*To Defend the Kings Person, Crown, and Dignity, &c.*] was inconsistenc with their four Votes, *for making no Addresses to the KING*: To which was answered by some,

That

That then they would relinquish the four Votes and adhere to the Covenant.

About the beginning of *March*, was given to Col. *Sydenham* and Col. *Bingham* 1000l. a peice as part of their Arrears; their Accounts not yet stated. To the Lord of *Broghil* 2000l. To Mr. *Fenwick* 500l. for losses. To Mr. *Millington* 2000l. for losses. To Col. *Ven.* 4000l. notwithstanding it was moved he might first account for Contribution money, the plunder of the Country about *Windsor*, and the Kings Houshold-stuff, Hangings, Linnen, and Bedding. Mr. *Purie* the petty-bag office, besides 1000l. formerly given him. To *Purie's* Son, the Clerk of the Peaces place, and 100l. a year: all *Independents*. 80. Money shared amongst godly Members.

The 7. of *March*, an Ordinance passed the Commons to settle 2500l. a year land, out of the Marquesse of *Worcesters* estate, upon Lieut. Gen. *Oliver Cromwell*. I have heard some Gentlemen, that know the Mannor of *Chepstow*, and the rest of the Lands setled upon him, affirm, that in the particulars the said lands are so favourably rated, that they are worth 5000l. or 6000l. a year: It is farther said those lands are bravely wooded. You see though they have not made King CHARLES *a glorious King*, as they promised, yet they have setled a *Crown Revenue* upon *Oliver*, and have made him as great and glorious a *K.* as ever *John of Leyden* was. Wonder not that they conspire to keep up this army, as well to make good these Largesses, as to keep their guilty heads upon their Shoulders. 81. *Cromwel.*

Thursday 9. *March*, the Lords sent a message to the House of Commons, *To desire their concurrence to the Ingagement of those Members that fled to the Army, to live and die with the Army.* It was debated all day untill 7. of the clock at night; and at last the question put. *That this House doth approve the subscription of the said Members to the said Ingagement.* The House divided upon the question, *yea's* 100. *not's* 91. 82. A Message from the Lords desiring the Commons concurrence to the Ingagement of the Members with the Army. The Ingagem. approved by threats.

Observe, 1. that Mr. Solicitor *Hasterig*, and many more, when they perceiv'd difficulty in passing it, began to skirmish with their long Sword again. And many told them, *they must live content without doors* (meaning the army) *as well as within, else all would go naught.*

2. 44. Of those Members than ingaged with the army sate in the

the House, and Voted in their own case; many of them carrying themselves very high and insolent in their gestures and expressions.

3. Many Presbyterians left the House because it was late; and some (as it is thought) not daring to Vote in the Negative.

4. This engagement about six months ago had been sent to the Commons by the Lords, once or twice, and was rejected, yet now was obtruded upon them again by the Lords, who would not acquiesce, contrary to the privileges of the House of Commons.

83. The temper of the House tried, had the Ingagement not been approved, a new Charge from the Army intended.

5. This approbation thus surreptitiously gotten, is equal to a Pardon sued forth before Conviction, which in Law amounteth to a Confession of the Crime.

6. The *Agitators* tell you in *Derby-house Projects*, pag. 7. *That this engagement was sent down to the Commons to try the temper of the House, and if the House had not approved of the Engagement, the resolution of their secret Counsel was to fly to their Armes, and make a new Charge against their principal opposers*; for they acknowledge amongst themselves, *That they Rule by Power only, and that the House of Commons is no longer theirs than they over-awe them, and that they fear the Critical day will come which will discover the Parliament to be no longer theirs than while they have a force upon it.*

As men ready to sink embrace every shadow of help, and catch hold of leaves, twigs, and bulrushes, to support them; so these desperate and purblind protectors, having engaged themselves in a way of Tyranny, out of which they can find no issue; lay hold of frivolous inventions to peece up from time to time their ill-laid designs, like the man in the parable, *That patched up his old Garment with new cloath, which breaking out again, left the rent wider than it was before.*

84. A project to unite all Interests.

Their last project was *to unite all Interests in the Houses, City and Army*; To which purpose *Cromwell* (the heaviest, basest, and most ridiculous Tyrant that ever any noble Nation groned under) made a Speech in the House of Commons: To which was Answered, *That the Members were chosen and trusted by the People, to pursue one common Interest*, which was, *the common good, the safety and Liberty of the People, and whosoever had any peculiar Interest*

eccentrick

eccentrick from that, was not fit to sit in that assembly, and deserved to be called to a strict account by those that trusted him.

Observe, that the extent of this project was to conjoyn these *three Interests* from upholding the greatnesse of the *Grandees*, in the *Parliament*, *City*, and *Army*; for in all three the vulgar multitude, and the more modest and honest sort, are but in the same condition with other men: the Parliament bearing the *Authority*, the Army the *Sword*, and the City the *purse*.

The *first* shall be the Task-masters, and impose Tribute.

The *second* the Sheriffs, or rather free-booters, to leavy it by distresse.

And the *third*, the Brokers, to receive and buy it off.

But it pleased God to bestow so much providence and integrity upon the City, that when upon Saturday 8. *April*, 1646. *Cromwel* and his fellow-*Grandees* offered this temptation (at a Common-Council) to them,

The City grew wiser then our first Parents, and rejected the Serpent and his subtilties, insomuch that *Cromwel* netled with the affront, called his Solicitor *Glover* to account by what Authority he had offered the *restitution of the Tower and Militia, and the inlargement of their accused Aldermen*: who answered, *he did it by his Authority*, and delivered him a Warrant to that purpose, signed by Sir *Thomas Fairfax*, *Oliver Cromwel*, Mr. Solicitor, and young Sir *Henry Vane*, which *Cromwel* had the impudence to put in his pocket.

See the Argument against all accommodations between the City and Grandees, &c. and the seasonable caution to the City, printed at the latter end of this Book.

15. A device to put the Apprentices into a Tumult.

Cromwel had felt the pulse of the City long before by his Agents *Glover* and *Watkins*, and found them averse from complying with him: wherefore (being a man of an early, as well as an implacable malice) he (by the advice of the Committee of *Derby-house*) cast about with the Schismatical Lord Mayor *Warner*, (he that raised the ridiculous Tumult at Christmas about Rosemary and Bayes, a man that had been chosen Mayor by power of Parliament, (out of course) to carry on the design of the faction) and with the Lieutenant of the Tower, how to put the City into some distemper, of which they might take advantage. The Citizens were well acquainted with their jugling tricks, they had no hopes to work upon them: wherefore they contrived how to put a provocation upon the silly Apprentice Boys, and put them

forth into ſome raſh action, of which they might make uſe to carry on their deſigns againſt the whole City: wherefore upon Eaſter-day, 1648. in the evening ſome few apprentices playing in *Finsbury fields*, ſome Souldiers were ſent to drive them away; which they did, and impriſoned ſome of them for not readily obeying: upon Sunday following, 9. *April*, divers Apprentices being at play (according to cuſtome) in *Moor-fields*, the Mayor ſent Capt. *Gale* (one of the new Captains of the Hamlers, a Silk-Throſter, and a Tub-preacher, and one that ran away at the fight at *Newbury waſh*, and hid himſelf in a ditch, as my L. *Wharton* at the Battle of *Keynton* hid himſelf in a ſaw-pit) thither to diſturb them, with about 50. or 60. of his Trained Band, and no more; (that he might the better encourage the Boys to reſiſt him) who furlily asking them *What they did there?* ſome of them anſwered, *they did no harm, only play*; *and ſince all Holy dayes have been Voted down, they had no other time of Recreation*: The Captain inſolently commanded them to *be gone*; they replied, *he had no authority ſo to do*, and continued playing: whereupon the Captain commanded his Muſquetiers to *ſhoot amongſt them*; which they forbearing, he took a Muſquet himſelf, and diſcharged amongſt them, when preſently two or three ſchiſmatical Muſquetiers of his Company following his example, diſcharged upon them likewiſe, and killed (or as the Schiſmaticks ſay, wounded only) one of the Boyes: whereat the Boys making a great out-cry, more company gathered to them, and ſo with ſtones, brick-pats, and ſticks, they diſperſed the Trained band, and at laſt got their Colours, and inſtantly in a childiſh jollity marched (un-armed as they were) towards the *Mewes*, when preſently a party of Horſe (ready prepared for this forelaid deſign) met them, charged, and with eaſe routed them; *Cromwell* himſelf animating the Troopers *to ſhoot and ſpit them, and to ſpare neither man woman nor child*. All Sunday night the Apprentices kept in a body in the City, locked the City gates, but ſet no guards upon them; whereby you may ſee this buſineſs proceeded meerly from the raſh and unpremeditated folly of Children, not from the advice of Men: howſoever the Independent faction in the Houſe of Commons have ſince aggravated it: to countenance their future cruelty and rapines upon the City. Monday morning Sir *Tho. Fairfax* ſent a

ſtrong

ſtrong party into the City, who fell upon the Boyiſh rabble, routed and killed many, and ſhot poor Women great with Child, ſitting in their ſtalls, one whereof the Child lived two hours in her belly after her brains were ſhot out: a man likewiſe not knowing of their coming, as he was drinking Milk at the corner of a ſtreet, was ſhot (as it were) in ſport: as they rid, they cryed, *Cuckolds keep your Houſes*, cutting and wounding all they met; *Cromwel* (who followed in the Reer ſafe enough; the Van having cleered the ſtreets before him) cryed out to them to *Fire the City*. Oh *Oliver!* what a barbarous *John of Leyden* art thou become? Oh *London!* how wretched a *Munſter* wilt thou become? at laſt they drove thoſe ſilly unarmed wretches into *Leaden-hall*, and took many of them Priſoners, none of the Trained Bands, nor Citizens, appearing to help thoſe poor Boys, but leaving the Souldiers to get a bloody and boyiſh Triumph over them, as they pleaſed; they are now impriſoned in *Cromwels* ſhambles at *White-hall*. This is the truth of the buſineſſe, notwithſtanding, the long-winded lying report made by Alderman *Fouks*, at the Commons Barr: a man that hath feather'd his neſt well theſe miſerable times, and hath much publick money ſticking to his fingers; who, when he gave in his accompt before the General Committee of Accounts, refuſed to give it in upon Oath, (as other men did) alleging *Magna Charta, that no man was bound to accuſe himſelf*. It ſhould ſeem he had ſomething in his Conſcience that would not endure the teſt of an oath: but he is one of the Godly, and therefore the good things of this world belong unto him.

The Houſe of Commons (upon this occaſion) gave 10001. to the Souldiers for their valorous exploit, and Voted 1000. Foot, and 100. Horſe to be kept in the *Tower*. The Garriſons of *Whitehall* and the *Mewes* to be ſtrengthened: 3. Barges capable of 50. Muſquetiers apiece to lie at *Whitehall* for the Souldiers to convey themſelves to any landing place to diſperſe ſuch watermen as ſhal aſſemble: The City Chains to be taken away from their Poſts, and a Commiſſion of *Oyer* and *Terminer* to iſſue forth to murder more of theſe Children legally.

The Mayor having kindled this fire in the City, ſtole out at a window diſguiſed, and hid his fooliſh head in the Tower.

The House of Commons (over-ruled by the Grandees) Voted a day of thanksgiving for this delivery. So bold are these Saints, as to mock Gods holy name with impious devotions to colour their designs.

86. The Lord *Inchiquin*.

The Lord *Inchiquin*, president of *Munster* and General of the Army there, had a long time been heaved at by the Independent faction. The Lord *Liſle*, (who gaped after his imployment) Sir *John Temple*, *Cromwell*, the Lord *Broughill*, Sir *Arthur* and Sir *Adam Loftus*, and others: who by obſtructing all ſupplies of Money, Ammunition, Victual, Cloathes, laboured to mutiny and disband his Army, that they might ſend Schiſmaticks of their own party to Lord it there, as they do here, and keep *Ireland* as a Retreat for the Saints: for the better effecting whereof they ſent over many Emiſſaries, whom they had commended to him, to be officers in his Army. When this would not do, they Printed ſcandalous Articles againſt him, and put infinite provocations upon him to incite him to do that which they falſly accuſed him to have done already; But the many gallant ſervices he performed ſince the publiſhing thoſe Articles gave them the lie, and confuted all their ſlanders: at laſt (under colour of ſending a ſupply of forces to him) they projected to ſurprize him, and bring him away priſoner; ſo that he hath ſuffered all the convulſions that trecherous friends, and malicious enemies could put upon him. And lately (for the more cloſe conveyance of the deſign) the Houſes ſent three Commiſſioners towards *Ireland* to ſurvey his Actions; but (as if it were purpoſely done) when the Commiſſioners came as far on their way as *Briſtol*, about a dozen renegado Officers of his Army met the Commiſſioners and turned them back again. The ſaid Officers poſted up to the Parliament before the Commiſſioners, and the 13. *April* were called in to the Commons Bar, where they made a relation to the Houſe to this purpoſe; That the Lord *Inchiquin* having made an expedition into the County of *Kerry*, upon his return, ſent for theſe Officers into his preſence Chamber, and told them, *He intended to declare againſt the Army and Independent party in* England, *who kept the King and Parliament under a force, that he would ſtand for the Liberty of the King and Parliament, and a free Conference to ſettle Peace; and that he expected all his Officers ſhould*

should joyn with him in so honourable an undertaking; but should take an Oath of secrecy, before he discover'd himself further to them. They answered, *They could make no such Oath before they knew whether they might with a safe conscience keep it*, saying, *they would be true to the Parliament.* My Lord *Inchiquin* replyed, *So have I, and will be.; delude me not with ambiguous words, do you mean this pretended Parliament?* telling them farther, *he had good correspondence with all the Presbyterians in* Scotland *and* England, *as well in the Parliament, as out of it; that he doubted not to go through with his undertaking; and if the worst hapned, to make good conditions for himself and his party. That he would make peace with my Lord* Taff, *(and that he knew the* Independents *in* England *were upon Treaty with* Owen Roe Oneal) *who was a man of their humour, and loved to keep all in combustion.* They refused to joyn, he dismissed them for *England.* The same day Letters from Capt. *John Crowthen* (Vice-Admiral of the Irish Seas) from a shipboard, were read in the House, much to the same purpose, though not so large: wherein he said, *He had already blocked up all my Lord* Inchiquin's *Havens.*

87. *Allen* the Goldsmith moved to put the House to the touch by some Covenant, Declaration, &c.

Presently *Allen* the Goldsmith moved, *That since the Lord* Inchiquin *had discovered that he had a correspondency with the Presbyterians in the House, before they dealt with their Enemies without doors, they should try who were their Enemies within doors, by putting all men to some Covenant, Engagement, or Protestation, &c.* And Lieutenant General *Cromwell* said, *That being to debate this business to morrow, whosoever with crosse Arguments shall spin out the debate, and so retard our proceedings, (by my consent) shall be noted with a Black Coal:* to which was answered, *That this tended to take away freedom of debate, which was the life of Parliaments, and of all Councils; and was destructive to the very being of Parliaments.*

It is not amisse to insert here by way of digression, what I formerly omitted: Sir *Henry Mildmay* long since moved, *That* 150. *rich Guard Coats of the King, might be sold for* 800*l. to find Fire and Candle for the Souldiers in* White-hall. The question put: The Speaker gave judgement, *the Yeas had it.* Mr. *Edward Stephens* declared *the Noes had it.* They were unwilling to divide upon such a question: but Mr. *Stephens* persisted; and *Robert Reynolds* said

said aloud, *notice shall be taken of him for putting such a dishonour upon the House.* Upon the Division, the *Noes* carried it by nine voices. Thereupon, complaint was made against *Reynolds* for *attempting against the liberty of Voting*, but no redress.

But to return from my digression: the next day (14. of *April*) it was moved that my Lord *Inchiquin's* Son, a Child of 8. or 9. years old, going to School at *Thistleworth, might be secured in the Tower and kept for a Hostage.* To which was Answered, *That no man could take an Hostage without consent: an Hostage must be given upon the publick faith, upon some stipulation, and must be so received, by mutual agreement; you cannot punish the child for the Fathers fault*; yet he was voted to the Tower, and sent. My Lord *Inchiquin's* Commition as President of *Munster*, and General of the Army, Voted *void, and no man to obey him*, himself Voted a *Traitor*; yet no man examined upon Oath against him, nor any man sent to take information of the busineſſe into *Ireland*, and his profeſſed enemy the Lord *Liſle*, is to go General into *Munſter* in his room; and the ſaid fugitive Officers all rewarded, as if they had brought acceptable news.

This day *Reynolds* revived *Allens* motion for *putting the Members to the Teſt, by ſome Covenant, Proteſtation, or Declaration, ſubſcribed, That this is a free Parliament, and that they would live and die with this Parliament and Army*: To which was anſwered,

1. That by Ordinance of both Houſes, all men were enjoyned to take the National Covenant. This Covenant is the true Touchſtone of the Parliament, and ſo agreed upon by the wiſdome of both Nations; yet many ſit here who refuſe to obey this Ordinance: I know no reaſon therefore why any man ſhould obey you in any other Ordinance of this Nature: let us keep the old Covenant before we take any new.

2. It hath been moved in the Houſe, that the Oathes of Juſtices of the Peace, and Sheriffs, might be taken away: I hope you will not aboliſh legal Oathes, and impoſe illegal Oathes. This Houſe hath not ſo much Authority, as to adminiſter an Oath, much more to impoſe one: you muſt allow to others that liberty of Conſcience which you demand for your ſelves.

3. Major *Gray* told you my Lord *Inchiquin* ſaid he had correſpondency with all the Preſbyterians in the Houſe, who had made

made their peace with the King. But my Lord *Inchiquin* told him farther, the Independents were upon Treaty with *Owen Roe*, and *Oneal*, let them clear themselves of that imputation first before they give a purgation unto others, otherwise what you do will savour of force.

4. The true Touch-stone to try every mans integrity is to examine, who have inriched themselves by the calamities of the times and your service, and who are impoverished.

5. This is a new device to purge the House.

The *Grandees* of the House have cantonized the Kingdom between them, every man in his Division protecting the Country Committees, and receiving tribute from them in recompence of their protection; and *Prideaux* the Post-master being King of the *West-Saxons*, his Vice-roy or Lord Deputy for the County of *Somerset* is that running Col. *John Pyne*, who being often inspired with Sack, rules the Committee and County by inspirations. *Pyne* and his Peers of the Committee, to please his superiours, set on foot a draught of a Petition to be handed by the Country, *giving thanks to the Parliament for the four Votes against the King*, and *promising to live and die with the Parliament and Army*, and *desiring the County might be freed from Malignants, Neuters, and Apostates*; which (in their interpretation) signifies *Presbyterians* and *moderate men*, who will not dance about the flame when the Independents make a Bonfire of the Common-wealth. The Eastern Division of *Sommerset-shire* rejected the Petition; in the Western Division *Pyne* and his Committee sending abroad his Sequestrators with the Petition, (threatned to take them for Malignants, and Sequester them that refused) got many Subscriptions; but the Subscribers since (better informed of the danger and mischief of those Votes) retracted what they had done by a *counter Petition*, wherein they declare, that *their Subscription to the former Petition was contrary to their Judgement and Conscience, and extorted by the terror of Sequestrators, and threats of being Sequestred*. This affront stung the Committee, and opened the eyes of the Country: as the like foolish attempt of Sir *Henry Mildmay* did the eyes of the County of *Essex*. Wherefore to find a Plaster for this broken pate, Sergeant *Wild* (he that hang'd Capt. *Burly*) coming that circuit, care was taken to have a select Grand-

88. The Counties compelled to give thanks to the Houses for their Votes against the King.

Jury

Jury of Schismaticks and Sequestrators blended together, who made a presentment subscribed by 19. of their hands, which Sergeant *Wild* preserved in his pocket; and upon Tuesday 18. *April*, delivered with as much gravity as a set speech & a set ruffe could furnish him withall in the House of Commons, and was read and hearkned unto by the thriving Godly, with as much attention, as pricking up of eares, and turning up of eyes could demonstrate: the contents of this presentment were the same with the aforesaid revoked Petition. Great care was taken to give thanks to the High Sheriff and Grand Jury, who had so freely delivered the sence of that well-affected County: and as much care taken to improve this Talent and put it to interest throughout the Kingdom. Collonel *Purefoy* is now at this Work in *Warwick-shire*, Sir *Arthur Haslerigge* about *Newcastle*, others in other places. Pitifull Crutches to support a cripled reputation, which now halts, and begs for relief worse than their own maimed Souldiers do, and with as bad success, they have juggled themselves out of credit, & would fain juggle themselves in again. Behold the wisdom of our *Grandees*, wise, religious, new-modelled Politicians, who have brought themselves and the whole Kingdom into these deplorable, contemptible straits; take notice of your Representative, you that are represented, call them to a seasonable account: But whither doth my zeal carry me? I shall anon stumble upon a new fangled Treason to be declared against me, without, nay against Law.

86. Mens tongues tied up by an Ordinance.

Friday 21. *April*, an Ordinance was presented to the House, intituled, *For suppressing all Tumults and insurrections* (the Committee of Safety at *Derby-house* had before an ample power conferred upon them for that purpose; but guilty consciences, though they be safe, are never secure; like *Cain*, they think that every man will slay them) it was passed after some amendments to this purpose, *That any three Committee-men shall have Power to Imprison and Sequester all such as shall actually adhere to any that shall raise or endeavour to raise Tumults and Insurrections: or shall speak or publish any thing reproachfull to the Parliament, or their proceedings.* Behold here an excise (amounting to the Value of all you have) set upon every light word; a man made an offendor for a word, to the utter ruine of him and his posterity, under colour

colour of *defending Laws, Liberties, and Properties*, you are *cheated of them all*, and *reduced* to meer and absolute *slavery* and *beggery*: you are not Masters of your own carcasses, yet your mouths are buttoned up; you must not be allowed that silly comfort of venting your griefs by way of complaint; what Tyrant was ever so barbarous, so indiscreet as to do the like? It was moved that Offenders of this kind might be bound to the good behaviour, and the offences proved openly at the Assizes or Sessions, before so destructive a punishment be inflicted. There are three principles in Law, of which the Laws are very tender, and will not suffer them to be touched but upon great Offences, cleer proofs and exact formalities observed, *life*, *liberty*, and *estate*: by *Magna Charta*, the *Petition of right*, and many other Statutes, these principles are so sacred, that nothing but the Law can meddle with them, *Nemo imprisonetur aut dissesietur nisi per legale judicium parium suorum*. You have made the people shed their money and blood abundantly, pretending defence of *Religion*, *Laws*, and *Liberties*; let them now at last (being a time of peace) enjoy what they have so dearly paid for; and delay them not with a pretended necessity of your own making; you now make all that is, or can be neer and dear to them, liable to the passions of three Committee-men, to judge and execute according to their discretion, without Law, or so much as a formality thereof: And yet both houses of Parliament have often heretofore offered to abolish those Committees, as men whose wickedness and folly they and the whole Kingdom were ashamed of. The Grandees of the Parliament and Army, when the Houses are called, and full, have resolved to draw their forces neer about the Town, and by that terrour to trie the temper of the Houses; such Members as will not comply with them, they will with fresh Charges purge out of the House, and publish base and infamous scandals against them, to which if they submit with silence, they betray their reputations for ever, and spare the credits of their jugling enemies. If they make any defence for their honours by way of Apology, they shall be brought within the compasse of this devouring, inslaving Ordinance, as *men that reproach the Parliament and their Proceedings*. Thus the same whip shall hang over the shoulders of the Presbyterian party, (who will not agree to *King-deposing*

Anarchy and Schism) as it did formerly over the Kings party. And the Presbyterians shall be squeesed into the Independents coffers, as formerly the Kings party were, so long as they had any thing to lose; for the whole earth is little enough for these Saints, who are never satisfied with money and blood, although they never look towards Heaven but through the spectacles of this world. The old *elogium* and Character of this English Nation was, that they were *Hilaris gens, cui libera mens & libera lingua:* But now (Country-men) your tongues are in the Stocks, your bodies in every gaole, your souls in the dark, and estates in the mercy of those that have no mercy, and at the discretions of those that have no discretion: Farewell *English liberty*.

90. The Kentish Committee-war.

In the Epistle to this book, I have given you an account of the bloody answer given to the *Surrey* Petitioners, *May* 16. 1648. I must in the next place speak something of the *Kentish Petition*, and of the *Committee-war* they raised to oppose it; which took his rising and beginning partly from the insolencies and oppressions of their tyrannical *Committee-men*, (persons for the most part of weak fortunes, and weaker wits) and partly from the frantick zeal of the Mayor of *Canterbury* (who for his Religion, prudence and honesty, may well be younger brother to *Warner* Lord Mayor of *London*) upon *Christmas day* 1648. sundry people going to the Church of *Canterbury* to solemnize that day, were uncivily interrogated, and roughly handled by the Mayor, as if it were superstition, nay impiety to serve God on that day; or as if some days were exempted from serving God, as some days are exempted from worldly labour: This grew to a Tumult, which the Committee of the County hearing, they presently gathered forces to make ostentation of their power in suppressing it, but were prevented by intelligence that all was quiet; but this quietness was rather a truce, then a lasting peace, a desire of revenge against the Mayor for wounding some of the People, like fire hid under ashes, broke forth two days after, but was presently pacified by the discreet indeavours of Sir *W. Man*, Ald. *Sabin*, and Mr. *Lovelace* a Lawyer. The Committee of that County presently assemble *forces*, with which (together with their Chaplains & other instruments of war) they march to reduce the City, and (though they had news that *all was appeased*) yet would they not believe it, but continued

nued their march in triumph; where finding the Gates open, they took them off and burnt them, threw down part of their Walls, thereby degrading the City, and turning it into a Village, as a trophy of their high indignation; committed many to Prison upon light suspicions, amongst whom, the aforesaid 3. Peacemakers, for being so saucy as to compose the difference, and thereby deprive their *highnesses* of a Triumphant Victory. For these upstart Committees mounted above the sphere of their activity, and having stolen his Majesties Sword (His principal mark of Soveraignty wherewith he protects his people) out of his Scabbard, know not how to use it, but to the destruction of the people: like ill-natured Children, they have gotten a gay thing, and must do mischief with it. And for farther magnifying of their power to the Country, and their diligence to the Parliament, they charged the prisoners with High Treason, and so forgot them languishing in Gaol, had not those Gentlemen remembred themselves and clamoured for a Trial; which at last was granted them by a Commission of *Oyer* and *Terminer* to Sergeant *Wild*, and Sergeant *Creswell*: the Juries were men known to be wel-affected to the Parliament, who found *Ignoramus* upon the Bill, and (notwithstanding many checks and taunts from the Committee, and the refusing of the return) adhered; so that the Court adjourned for some months: Hereupon the Kentish men fearing the tyrannical disposition of their Committees, consulted with the said Grand Jury upon the place concerning a Petition to the Parliament *for Peace*, to end our distractions; which Petition was subscribed by the Grand Jury, in the name of the whole County. The Committee jealous that these things would hearten the People, & loosen the bonds of that slavish fear, wherein they had hitherto held them captive, printed, and caused to be published in all Churches a Paper prohibiting the same Petition, and branding it with the name of *seditious and tumultuous*, saying, *they would hang two in every Parish that were promoters of it, and sequester the rest.* And endeavoured first to raise forces in the County; but at last made their complaint to the Army. When the Country saw their just desires like to be suppressed by Arms, and themselves to be still Committee-ridden, they resolved upon a place of meeting to promote their Petition, and

to come Armed thither for their own defence onely. But the County Committee plied their busineſſe ſo well with the Committee of *Derby-houſe* and the Army, that they firſt drew a party of Horſe into the County, who committed many murders according to Cuſtome, and then the whole Army which at *Blackheath* encamped on the ſame place where the Petitioners intended to *Rendezvouz*. So the reſult of all is but this: The whole County of *Kent* oppreſſed by a tyrannous Committee, and a lingring war, now likely to be renued, prepare to preſent a Petition to the Parliament *for Peace*, and had appointed a day and place of meeting, which by reaſon of the large extent of the County they could not alter at the pleaſure of the Committee: and being terrified by the menaces and warlike preparations of the ſaid Committee, brought their Arms with them in order onely to ſelf-defence, (allowed by the Laws of God and Man, and by the doctrine and practice of this Parliament and Army; and peradventure induced thereto by the ſad Maſſacre of the *Surry* Petitioners.) The Committee to ſupport their uſurped, illegal authority, invite an Army to break in upon them with *fire* and *ſword*, and ſo enforced them upon thoughts and actions of War, never before thought on: as will appear,

1. Becauſe many of the Petitioners went home the next day after the *Rendezvouz*.

2. The County had provided no General, nor no old Commanders.

3. They never thought of forming an Army until Sir *Thomas Fairfax* was ſtorming one of their Towns.

4. The *Kentiſh-men* were compelled to take in *Sandwich*, and the 3. Caſtles, leſt they ſhould fall upon the backs of them when the Army marched againſt them; yet did they hurt no man in perſon or goods: which argued a peaceable diſpoſition, ayming only at defence. Thus you ſee a whole County always well-affected to the Parliament, complaining of a few Independent ſectary Committee-men, Sequeſtrators, &c. for infinite oppreſſions and cheats daily committed: they being weighed in the ſcales together, the whole County are thought too light for want of an unpartial holding the ballance even: one prudential conſideration, that they muſt not diſcountenance their friends

(as

(as they call the Committee) and something else more substantial, being put upon the Committees scale, hoyseth the whole County into the ayr. And when the Parliaments Army was at *Blackheath*, the County sending some of their Gentry with Petitionary Letters to the House of Commons, declaring *the peaceablenesse of their inclinations, their continued obedience to the Houses, and a desire their grievances against their Committee might be put into a way of examination and redresse*, they could obtain no other Answer (the schismatical ingaged party overpowering the House with the near approach of their own Army, for in is no bodies else) then, *that they would send them an answer by their General*; which was as much as if they had said, *They would send an answer by the Executioner*: the terrour of this answer made the Country desperately ingage in an un-premeditated War, for which they were wholly unprovided, as the irresolute and distracted managing of it makes manifest. But this advantage was greedily laid hold of by the Saints, to ravish a victory from the Country, which they were resolved to use with so much secrecy and solemn cruelty, that the example thereof should strike an awfulnesse into the hearts of all that should hear of it, and beget a slavish fear in the whole Kingdom to submit to the laying aside of the KING, and his Negative Voice, and the establishing of a tyrannical Oligarchy, in the Grandees of the two Houses and Army: for finding the whole Kingdom to hate them with a perfect hatred, they have no hope to govern by Love, but by Fear; which (according to the Turkish rule) is more predominant and constant passion. And certainly had not *Goring*'s passing over at *Greenwich* into *Essex* compelled *Fairfax* to follow immediately after with his Army, they had been used with much extremity: insomuch that *Weaver*, (a Member, fuller of zeal then wisdom, though wise enough for his own profit, as most Saints and knaves are) moved in the House, *That all* Kent *might be sequestred, because they had rebelled, and all* Essex, *because they would rebell*. And truly this is as good a way as *Cromwel's* selling his Welch Prisoners for 12d. a head to be transported into barbarous Plantations, whereby to expell the *Canaanites*, and make new plantations in old *England* for the Godly, the seed of the Faithfull: for this faction (like the Divel) cry, *all is mine*.

27. *May*

91. Banbury-Castle obtruded upon the State.

27. *May* A friend of my Lord *Say's* moved in the House of Commons, *That* Banbury-Castle *might be demolished to prevent any surprise thereof by Malignants*, saying, *it had already cost the State* 20000*l. to reduce it, and had undone the Country, which was unable to pay for it: it belonged to a Noble, Godly person, the L.* Say, *and it was not fit to demolish it without his consent and recompence; it was therefore desired the State should bear the charge, his Lordship being willing to sell it for* 2000*l.* To which was answered, *That other well-affected Gentlemen had their Houses destroyed for service of the State, without recompence, not so well provided to bear the loss as my Lord* Say; *as Mr.* Charles Doyly, *two handsome habitable Houses, Mr.* Vachell, *some Houses in* Reading, *and others well deserving of the State, though not of themselves.* This Castle was unhabitable, a rude heap of stones, a publick nusance to the Country. It cost his Lordship but 500*l.* and now to obtrude it upon the State at 2000*l.* price, in so great a scarcity and want of money, the Kingdom groning under Taxes, was not reasonable. So Divine providence not saying *Amen* to it, this Cheat failed like the untimely birth of a Woman.

92. The Impeached Lords, Members and Aldermen.

About the beginning of *June*, a debate hapned in the House of Commons about the four imprisoned Aldermen, occasioned by a Petition from the City, and concerning the impeached Lords and Commons. Mr. *Geuen* spake modestly in their behalf, saying, *That what they did was done by virtue of an Ordinance of Parliament made this very Sessions of Parliament, and without any intent to raise a new war, but only to defend the City against the menaces of the Army marching up against them and the Parliament.* But Mr. *Gourden* (a man not enough for his zeal to set a Kingdom on fire) Answered, *He thought they intended a new War, and were encouraged thereto by the Gentleman that spake last; when he said to them at their Common-council, Up and be doing:* Mr. *Walker* (perceiving Mr. *Geuen* to be causlesly reflected upon) replied, *that since this debate upon the City Petition tended towards a closing up of all differences, it was unfit, men that spake their consciences freely and modestly should be upbraided with Repetitions tending to dis-union*, and desired men might not be permitted to vent their malice under colour of shewing their zeal: when presently, *Thomas Scot*, the Brewers-clerk (he that hath a Tally of every mans faults but his

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An hanging at his Girdle by vertue of his Office, being Deputy-Inquisitor, or Hangman to *Miles Corbet* in the clandestine Committee of examinations) replyed upon Mr. *Walker*, *That the Gent. that spake last was not so well-affected, but that the close Committee of Examinations, would find cause to take an order with him shortly:* Mr. *Walker* offered to answer him, and demanded the Justice of the House, but could not be heard: those that spake in behalf of the Aldermen, were often affronted, and threatned with the displeasure of the Army, which they alleged, *would be apt to fall into distempers if we discharged them.* Notwithstanding these menaces, it was voted, that *the House would not prosecute their Impeachments against the said four Aldermen*, Sir John Maynard, *and the seven Lords; and that they would proceed no further upon their Order for impeaching Mr.* Hollis, Sir William Waller, &c. Two or three dayes after, a motion was set on foot, *That the Order whereby the said Members were disabled from being of the House might be revoked*, many zealots argued fiercely, and threatned against it; amongst many arguments for them, a President was insisted upon, *That Master* Henry Martin *was by Order disabled from being a Member, yet was afterwards readmitted upon his old Election*: and desired these Gentlemen might find equall justice. The House having freed them *à culpa*, could not in equity but free them *à pœna*, and put them in the remainder of all that belonged to them. But Sir *Peter Wentworth* answered, *That Mr.* Martins *case and theirs differed: Mr.* Martin *was expelled for words spoken against the King, such as every mans conscience told him were true; but because he spoke those words unseasonably, when the King was in good strength, and the words (whether true or false) were in strictnesse of Law, Treason: the House* (especially the lukewarm-men) *considering the doubtfull events of War, disabled and committed him, lest the whole House might be drawn in compass of High Treason for conniving at them*: which was a prudential Act contrary to justice, and contrary to the sense of the Godly and honest party of the House. But afterwards (the King growing weaker, and the Parliament stronger) the House restored Master *Martin*, and thought fit to set every mans tongue at liberty to speak truth even against the King himself; and now every day words of a higher nature are spoken against him, by the well-

affected

affected Godly in the House. After many threats used be *Wentworth, Ven, Harvy, Stot, Goerdon, Weaver, &c.* The said disabling Order was repealed.

93. Members added to the Committee of Safety at *Derbyhouse.*

About the same time the Lords sent a message to the Commons that *they had named six Lords to be added to the Committee of safety, and desired the House to adde twelve Commons to them.* (This had five or six times been brought down from the Lords before, and received so many denials, but the Lords would not acquiesce) the Message came down about one of the Clock, the House being thin, many argued against it, saying, that there were seven Lords and fourteen Commons of that Committee already, enough (if not too many) to dispatch business with secrecy and expedition; that to adde six Lords more to them was (in effect) to make the whole House of Peers of that Committee; so the whole House of Peers and twenty six of the ablest and best spoken Commons being ingaged in that Committee, that Committee would sway the Houses which way they pleased; draw, by degrees, all power and authority from the Parliament to themselves; cause the House to adjourn at pleasure, or leave them so evirtuated, and enervated, that they should no longer keep the dignity nor Authority of a Parliament; contrary to the trust reposed in them by those that chose them, and contrary to the tenor of the Writ of Election. It were more for the service of the Commonwealth to examine what the powers of that Committee are, and to set a short time to its continuance, and not leave it indefinite as now it is. After more than an hours debate, the Speaker (instead of putting the question, whether an addition or no?) called to have the names read, first of the Lords, who were Voted, one, by one; and then the commons were named, who are almost all Independents; *Weaver* excepted against the naming of Major Gen. *Brown* to be of that Committee, for being disaffected to the Army; to which Major Gen: *Brown* gave a discreet and honest Answer; in reply to which, *weaver* concluded, That the Parliament in the posture it was in, was not likely to save the Kingdome, but the Committee of Safety and the Army must save it: whereupon satisfaction was demanded against *Weaver* for dishonouring the Parliament, and alleged that the Honour of the Parliament was more considerable than the Ho-

nour

nour of the army, and ought to be vindicated before the Honour of the army, whatsoever their Agents and Servants in the House (who gained by them) thought to the contrary, unlesse they would acknowledg the Parliament to be subordinate to the army. It was farther said, that if the Parliament should relinquish the work of setling Peace, Religion, Laws, and Liberties in the Kingdome to the Committee of Safety, (as the Gentleman that spake last seems to intimate, that in order thereto, the said Committee is enlarged) the Parliament should forsake their trust, and be no longer a Parliament, and all they had done, and should doe in that way, (even the erecting, empowering, and enlarging of that Committee) is void in law. Note, that several Orders have been made, appointing set days to examine the powers of this Committee, and limit a time for its determination; but always upon the appointed days, either some Letters of news, or some new invented Plots have been cast like stumbling-blocks in the way to put it off.

The like for setling the general Militia of the Counties; all which are now left *sine die*.

Thursday, 15. *June*, Mr. Solicitor reported to the House, That Sir *William Masham* and the rest of the Committee, were carried up and down in the head of *Goring*'s army, hardly used, and threatned to be in the front of the battel when they came to fight: and moved that 20. of the Kings party should be seised and sent to the General to be used in the like manner. But *Gourdon* moved, That the Lady *Capell* and her Children, and the Lady *Norwich* might be sent to the General with the same directions, saying, *their Husbands would be carefull of their safety*; and when divers opposed so barbarous a motion, and alleged, *the Lady* Capell *was great with child near her time*, *Gourdon* pressed it the more eagerly, (as if he had taken the General for a Man-midwife) he was seconded by *Ven*, Sir *Hen. Mildmay*, *Tho. Scot*, *Blackstone*, *Hill* of Haberdashers-hall, *Purefoy*, *Miles Corbet*, &c. Note that *Rushworth* (Secretary to the General) reported at the Commons Bar, *The Committee were well used and wanted nothing*. And though they have had many Fights and Sallies, they did never put any of the Committee in the Front; so that it should seem this is only a fabulous pretence to carry 20. of the Kings party

94. 20. Royalists sent to the General in lieu of 10. Committeemen in *Colchester*.

party in *Front* before them to facilitate and secure their Approaches against the Enemies shot, which is the more credible, because the sense of the House was, *not to exchange these for the Committee*. This is to cheat the Enemy of a Town, not to conquer it. Behold the Saints way of getting Victories, and *Cromwel* practiseth the same in *Wales*, as I hear.

And that it may farther appear, this Saint-like Army neither Conquers by Miracle nor the Sword, but by the battery of Angels, I can assure you, that lately one of the setting-bitches of these States (as they now call themselves in their foreign negotiations) the *Hogen mogens* of *Derby-house*, the Lady *Norton* (Wife to bul-headed Sir *Grig.*) offered a large sum of money to a Gentlewoman to procure her Husband to yield up a Hold he keeps for the KING, using this argument to perswade it, *That most of the good Towns they seemed to conquer, were purchased of men that had wit enough to respect themselves*, (for you must know that this virtuous Lady trucks as well for strong Towns and Forts, as for Plackers and other weaker pieces) but the motion was contemned: And the General having gotten together the Trained men of *Suffolk* and *Essex* to assist him, putteth them in the Forlorne Hope in all his stormings of the Town of *Colchester*, and drives them on with his Horse, using them as the Turk useth his *Asapi* to dead the first fury and edge of the Enemy, that his Janisaries may at last come on with the more safety, and carry the businesse.

95. The National Covenant.

Saturday, 17. *June*. It was moved that no Commissions might be granted to any Commanders or Officers, untill they had taken the National Covenant: against which, it was argued, That the Covenant was become the pretence of all Rebellions and Insurrections; that most of them that had Rebelled in *Wales*, *Kent*, *Essex*, had taken it; but those that refused it were true friends to the Parliament and had done them gallant service. That the Covenant had so many various interpretations put upon it, that no man knew what to make of it, or how with a safe Conscience to take it: thus argued the Independents, as if the Covenant were *malum in se*. To which was answered, that by this last reason they might lay aside the Scriptures, which were frequently and variously mis-interpreted by Hereticks and Shismaticks. If the

Covenant

Covenant in its own nature were the cause of insurrections, it was unwisely done of the Parliament to impose it upon men; and to tie them by Vow to defend it, and one another in defence of it, with their lives and fortunes, whatsoever number of Armed men should gather together in defence of the Kings Person, Crown and Dignity, or of Religion, Laws, Liberties, or of Privileges of Parliament, according to the said Covenant; they have the authority of Parliament, nay of Heaven, (where their Vow is recorded) for what they do, and cannot be said to Rebel, or War against the Parliament, but against a faction, who having deserted or never taken the Covenant, to carry on new designs for their own advantage; do now mis-apply the title of *Malignant* and *Rebell*, to those which fight for the Covenant, because they will not change their principles with them for Company. And upon this ground onely were the four Aldermen, seven Lords, Sir *John Maynard*, &c. impeached and imprisoned onely for such actions as the Covenant (which they took by authority of Parliament) bound them in conscience unto; and for which they had a special Ordinance of Parliament, made this very Sessions, and not to raise a new War as was scandalously and violently enforced upon them: Had it come to a new War, it must have been laid at their doores that subvert the Principles in the Covenant. Many have taken the Covenant in obedience to you, and are bound up by it; and now to leave other men at large not to take it, and accuse them of *Treason* for endeavouring to keep it, is very unjust. You have lately promised the Scots, *you will adhere to the Covenant*: How can they believe this, unless you enjoyn all to take it? And so long as you put all the Arms, Garrisons and ships of the Kingdom, and all places of power, profit and preferment, into the hands of Schismaticks and Antimonarchists, whose principles and actings run counter to the Covenant, and such as talk much of your service, but have done only their own; in order to which, they refused to obey you and Disband, ravished the King from you at *Holdenby*, kept you in wardship ever since, and dishonoured and brought you low with treasonable, scandalous, threatning Engagements, Declarations, Remonstrances, and other Papers: But those that would have had the Covenant current, could not get the question put.

96. *Osburn's* information concerning a design to murder the King. See [*The Independents loyalty*] a Book so called.

Upon Saturday, 17 *June* 1648, about one of the clock afternoon (most of the House being gone to dinner, and very few Presbyterians left) the Speaker of the House of Commons stood up and told the House, that he had received Letters from *Richard Osburn* (he that projected to deliver the King out of the custody of Colonel *Hammond* at *Carisbrook-Castle*) that he conceived the Letters tended only to the setting of us all together by the Ears; and propounded, whether they should be read or no? some were against the reading of them, but the Major part called to have them read; which was done accordingly. The Letter to the said Speaker had a copy of another Letter enclosed in it, to the Lord *Wharton*, which bore date 1 *June*, 1648. to this purpose, *Giving his Lordship to understand, That upon private conference with Captain* ROLF *(a man very intimate with Colonel* Hammond, *and high in the esteems of the Army) the said Captain* Rolf *told him* (the said *Osburn*) *that to his knowledge* Hammond *had received several Letters from the Army, advising him to remove the* KING *out of the way by Poyson, or any other means, for it would much conduce to their affairs. But* (said *Rolf*) Hammond *had a good allowance for keeping the* KING: *and is therefore unwilling to lose so beneficial an imployment. But* (saith Rolf) *if you will joyn with me, we will endeavour to convey away the* KING *to some secret place, and we may then do what we will with him. Osburn* offers in his said Letter, *That if he may come and go with safety, he would come and justifie the same upon Oath.* He likewise writ to the Speaker of the Lords House about it. Then was read *Osburn's* Letter to Mr. *Lenthal* Speaker dated 10. *June* 1648. containing the same Narration, with an offer to appear, and make it good upon Oath if he might come and go with safety and freedom. The Clerk had no sooner done reading this Letter, but with a sleight neglect, and the laughter of some Members; the business was passed over without debate, and Mr. *Scawen* stood up to propound a new businesse from the Army; when presently, Mr. *Walker* interrupting *Scawen*, desired to speak a word to the late businesse; and asked Mr. Speaker, *From whence that Letter came, and who brought it?* the Speaker called upon the Sergeant of the Mace, who answered, *The Letter was given him at the door by a man that he knew not; that he had many Letters and*

Papers

Papers thrust upon him of which he could give no account, but he would endeavour to find the Messenger. Then Mr. *Walker* urged that *such an information coming to the House ought not to be neglected whether true or false, but to be examined and sifted to the bottom. If the* KING *should die a natural death, or any mischance befall him, (the People calling to mind how little care we had taken of his safety) would never be satisfied with our protestation;* and moved, *that a Committee might be named to examine* Osburn, Rolf, Hammond, *and such others whose names should occur in the Examination.* This was seconded by Sir *Simond Dewes*, Mr. *Henry Hungerford*, Mr. *Edward Stevens*, and some others, who pressed it farther, but received a slight answer. *That those that desired to examine the business knew not where to find* Osburn. *That* Osburn was a Malignant, *and had attempted to set the* KING *at liberty.* To which Mr. *Walker* replied, *That the other day we had named a Committee to examine the business concerning the Foot-boy that struck Sir* Henry Mildmay, *and yet we neither knew then where to find the Foot-boy, or what his name was. If we do but publish that* Osburn *shall with freedom and safety come and go, in case he appear to make good his Charge, either he will appear, or we shall declare him an Impostor, and punish him when we take him, and clear the reputation of those upon whom this Letter seems to reflect. Consider how vast a difference there is between beating a Subject, and Killing a King. And if* Osburn *(whom I know not) be a Malignant, yet unless you can prove him a Nullifidian, or a person convict of Perjury, both according to the Rules of Christian Charity, and in the charitable intendment of our Laws, his Oath is valid and good.* Then *Tho. Scot* stood up and said, *That this pressing for a Committee to examine this business, was but a device to draw Colonel* Hammond, *and* Rolf, *up to Town to be examined, that the* KING *might the easier make an escape.* And Sir *John Evelin* of *Wilts*, alleged *that he conceived this was an invention of* Osburns *to bring the King to Town with Honour, Freedom, and Safety.* Then *Walker* stood up again, but was interrupted by Master *Hill*, and not suffered to speak, having already spoken twice. At the end of almost every motion made for a Committee to examine the businesse, either Mr. *Scawen*, or Major General *Skippon* stood up and offered to divert the businesse by new matter concerning

cerning the Army, which usually beareth all other businesses down before it. At last those few that moved for an Examination of this Information, having spoken as often as the Orders of the House do permit, were forced to be silent; so the businesse was buried in silence. I hear that some of the Lords called upon this businesse the Monday following, being the 19. of *June*, and that the Lord *Wharton* being asked, *why he did not impart* Osburn's *said Letters to the House?* Answered, *That as soon as he opened the said Letter he received from* Osburn, *and saw his name at the bottom, he looked upon the businesse as not considerable:* yet he sent the Letter to *Hammond*. Upon Tuesday, 20. *June*, The Lords sent a Message to the Commons; the first paper whereof concerned *Osburns* said Letters: they desired *that forty days might be assigned for* Osburn *to come and go with safety to make good his information*. But Sir *William Armine* stood up, and desired, *That the minutes of two Letters prepared to be sent into* Holland *and* Zealand *concerning our Revolted ships might be first dispatched, as being of present use*. And when the businesse was ended, Mr. *Pierpoint* propounded another part of the said Message. So *Osburn's* Information was left *sine die* for that time, but since, the Lords have quickned it, and 40. days are given to *Osburn* to come and go with Freedom and Safety to make good his information; who is come, and avoucheth it; and one *Dowsett*, speaketh much in affirmation of a design of *Rolfes* to pistol the King. *Rolf* presents himself at the Commons Bar with a Letter from *Hammond*, which denies the Design, and pleads *Rolfes* cause for him. *Rolf* denied it at the Commons Bar with a trembling voice, yet afterwards hid out of the way; but being discovered upon search, he was found to have a Byle upon him, that disabled him from riding, otherwise (it is thought) he would have fled far enough. I do not hear that *Hammond* is yet sent for or questioned. And for *Osburn's* indeavour to convey his Majesty from *Carisbrook-Castle*, it is alledged, he did it with a charitable intent to preserve his life, and not of any disaffection to the Parliament, to which he hath been affectionately serviceable. Though many take offence at Master *Walker*, as if his stirring of this businesse were onely to cast an aspersion upon the Army; yet (I conceive) that what he did was commendable, in discharge of the duty he

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owes to God, his King, and Country, and of him must as a Member of the Representative body of this Kingdom, and in performance of the obligations which the Oath of Allegiance, the Parliaments Protestation, the National Covenant, and the known Laws of the Land lay upon him, which duty he was bound to perform, (though with the extremest hazard of his life and fortunes) and though he may happily hope better things of this Army, yet since neither the Laws of the Land, nor common reason warrants him to presume upon his own private hopes and judgment (things which often deceive the wisest men in matters of far lesse moment) he could do no lesse then free his conscience, by making the whole House Witnesses of the cleernesse of his actions and intentions. Considering,

1. The many high speeches and threats often used against the King in all places, none excepted.

2. The dangers the King escaped from this very Army, which drove him from *Hampton-Court* to the *Isle* of *Wight*; and may possibly pursue him thither.

3. The Antimonarchical Principles wherewith many Members of this Army, and their Chaplains, and many elsewhere are seasoned, who cannot govern this Kingdome at their pleasure by a military Oligarchy of Grandees of the Committee of Safety at *Derby-house* and the Army (and so establish the Kingdom of the Saints) nor yet bring it to their own *level*, but by taking off *summa papaverum capita*, all that is high and eminent. There is a Crowned Head in their way which must be removed.

4. The corrupted fantasies of many Antimonarchical Schismaticks with Revelations and Raptures, who serve the Devil for Gods sake; making him the Author, and the doing of his will the pretence of all their crimes and villanies.

5. The many desperate guilty persons that fear peace; and are resolved, now the Sword is out, to burn the Scabbard. These look upon the King with an evil eye, as the Centre in whom all Interests must unite before we can have Peace. Despair tempts these men to make one sin a degree and step to a higher. These three last sort of men having cast off all fear of God, will as easily contemn Gods substitute, the King; as he that casts off all reverence to the King will contemn his substitute, a Constable.

6. The

6. The continual endeavours of the Grandees of *Derby-house*, and the army, to put all the armes, Garrisons, Ships, and Strengths of the Kingdom into the hands of Antimonarchical, Schismatical Independents: in order to which, they are raising of new Forces, and erecting new Garrisons in most Counties. These men when they could not get a power from the House of Commons to raise what Forces they pleased, (for when it was moved, they there ordered, *that no more motions should be made for raising new Forces, but between the hours of ten and twelve*) yet what they could not get by their leave, they now take without their leave: the General granting Commissions for raising and listing Horse and Foot in almost all Counties; for example, Sir *Hardresse Waller* (that one eyed *Polyphemus* of Pastebord) lately sent forth Commissions in the County of *Devon*: (by virtue (as his Commissions say) of the power granted him from his Excellency) for raising, listing, and training Horse and Foot, which shall be no burden to the Country, but be in pay with the rest of the army. In these Commissions he stileth himself *(untruly) Commander in chief of all the forces of the five Western Associat Counties*: and gave authority and encouragement to the well-affected (that is, to Independents, Sectaries, Antimonarchists, and the more desperate, forlorn sort of people) to enter into, and subscribe Engagements, *to live and die with the Army* (an imitation of the Members Engagement) *in defence of the Parliament*, (that is, of the ingaged faction of Independents, Schismaticks, and corrupt persons, whom only, the army looks upon as the Parliament) witnesse the Declaration of Sir *Thomas Fairfax*, and his Council of War, shewing the grounds of his advancing up to *London*. This usurpation was complained of in the House of Commons, Monday 19. *June*, and prohibited then by Order.

7. Peradventure the reason why this Letter was published so unseasonably in a thin House, in so slight and surreptitious a way (as aforesaid) was, in hope it would have been passed over in silence (as it had like to have been) and so the whole House should have been engaged in the crime (if any such thing be intended), *guilty of connivance and negligence*, though *not as Actors guilty of the fact*. The main scope of this party hath ever been, *by Treaties of Accomodation, uniting all Interests*, and other devices, to involve

volve others in their crimes, to infect others with their diseases; that all standing in need of one and the same desperate way of cure, may joyntly have the same friends and foes, and the same sins and quarrels to defend.

8. Friday, 16 *June* 1648. I was told the Committee of *Derby house* had lately received a Letter from Col. *Hammond*, Governour of *Carisbrook* Castle, informing them, *That unlesse they supplyed him with Money and Men, he could give no good account of the King, in case the Revolted ships should attempt his rescue*: and farther, *That he had matters of great importance to communicate to them, but durst not commit them to Paper; but if they would send for him up, or send a Confident of theirs to him, he would impart them.* This may probably be the business whereof *Osburne* gives information in the said Letters; and it may be Mr. *Walker* had heard of this report in the Hall, as well as my self, and might have the same conceit of it, that I have; if it be lawful for me to take measure of another mans judgement by my own.

9. Lastly, who knows whether a powerfull desperate party, may have a design to take away the *Kings life*, and then declare his two eldest Sons uncapable of Government; supposing they deserted the Kingdom, and invited forreign States to invade it: and then Crown the Duke of *Glouester*, and so (abusing his tender years) usurp the protection of him, and under colour of that authority, establish (by degrees) their own usurpation, and the peoples slavery; having subdued their spirits by a long and customary bondage, under them; and having filled all places of power, profit and preferment in the Kingdom with men of their own principles and Interests, their own creatures and Confidents? This army (last *April*) in their Council (amongst other things) debated, *The Deposing of the KING*, (why not murdering as well, since few Kings are deposed and not murdered?) *Dis-inheriting the PRINCE, and Crowning the DUKE of YORK*: which was then approved of by *Cromwell* and *Ireton*. Why may they not now disinherit both the elder Sons, and Crown the Duke of *Glouester* as well? See the excellent *Remonstrance* of the *Colchester* Knights and Gentlemen, 1648. which I have Printed herewith for your satisfaction. That some such design might be to make away the *KING*, and disinherit the *PRINCE*,

may well be ſuſpected, becauſe the 12. day of *July*, upon information, *That the Prince had ſent into* England *ſome Blank-Commiſſions to Liſt men*: *Weaver* (an Implement of the army, and Son to an Ale-houſe-keeper in *Wiltſh.*) moved the Houſe of Commons *to Vote the Prince a Traytor, &c.* And (I hear) that Mr. Solicitor (contrary to his Oath and duty of his place) *refuſeth to be of Council againſt the ſaid* Rolf; this Gentleman the Solicitor hath got above 300000l. by keeping open ſhop to ſell the cruel mercies of the new Great Seal to the Royaliſts.

97. *Trinity-houſe* Petition for a Perſonal Treaty.

The 29. *June*. A Petition was delivered to the Houſe of Commons from the Maſters of *Trinity-houſe*, Maſters and Captains of Ships and Sea-men, *for a Perſonal Treaty with the* KING; *declaring the great decay of trade, to the undoing of many thouſand families, and that they would not fight againſt the revolted ſhips, their Brethren, who deſired but the ſame things with them.* Tho. Scot ſaid, *That the* Surrey-men *firſt delivered a Petition for a Perſonal Treaty, which was ſeconded by the* Kentiſh-men *in Armes, and they by the City of* London: *that all this was a deſign to ruine the Godly party. That he had read of a man, who being asked when he was young, Why he did not marry? Anſwered, It was too ſoon: and being asked the ſame queſtion when he was old, Anſwered, it was too late. So he was of opinion there could be no time ſeaſonable for a perſonal Treaty, or a Peace with ſo perfidious and implacable a Prince; but it would always be too ſoon or too late. He that draws his ſword upon his King muſt throw his Scabbard into the fire. All peace with him will prove the ſpoil of the Godly.* To which was anſwered, *That ſome men got well by fiſhing in troubled waters; and accounted peace their ſpoil, becauſe war was their gain: and they looked upon a Perſonal Treaty as a deſign againſt them* (under the notion of the Godly, Honeſt, Confiding party) *becauſe a Perſonal Treaty was the high way to peace. But the generality of the people* (who were deſpoyled of their Eſtates by the War) *reſolved upon a Perſonal Treaty, without which there is no hope of Peace: they would no longer be made fuel to that fire wherein theſe Salamanders live; nor any longer feed thoſe Horſe-leeches,* (the army, their engaged party and ſervants) *with their blood and marrow.* It now appears who deſire a new War; namely, thoſe Zealots who ſupply their indigent fortunes by War. Theſe men fear peace, doubting they

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shall be forced to disgorge what they have swallowed in time of War: *Ven*, *Miles Corbet*, *Hill* the petty Lawyer of Haberdashers hall, the two *Ashes*, Col. *Harvy*, and many other thriving Saints, opposed a Personal Treaty; so their Petition had no success. I hear that (not many days after) the Committee of *Derby-house* (to take off this affront) imployed Col. *Rainsborough* (the *quondam Neptune* of our Seas) to go up and down and solicit the common sort of marriners to subscribe, and present the House of Commons with a counter Petition, wherein *they offered to live and die with the Parliament*, *&c.* and that *Rainsborough* gave 12d. a piece to as many as subscribed it. This Petition was delivered.

98. The City Petitions for a Personal Treaty.

The 1 of *July*, and after that (upon occasion of the City Petition *for a Personal Treaty in* London) upon the 5 of *July*, the House of Commons again took into debate a *Personal Treaty*. They spent much time upon the place where?

1. *Whether in the* Isle of Wight? which the Independents principally affected.

2. *Holdenby*? which they next inclined unto.

3. *Or any his Houses not nearer than* 10 *miles of* London, *at his own choice.*

4. *Or in the City of* London?

Which two last places the Presbyterians approved of, but chiefly *London*: for *London*, it was argued, *That the Common Council and Officers of the Souldiery would undertake for His safety against all Tumults. In any other place he would be within the power of the Army*; *who might probably take him away again* (*as they did at* Holdenby) *if they liked not the manner and matter of the Treaty*. London *was a place of most Honour, Safety, and Freedom*; *and would best satisfie the* KING, *the* Scots, *the people*: *In all other places* (*especially* the Isle of *Wight*) *He would be still a prisoner to the Army*; *and therefore all he should agree to, would be void by reason of* Dures. Sergeant *Wyld* answered, *That* Custodia did not *always in Law signifie* Imprisonment; *Though He was under restraint of the Army*, *He was not in Prison*; making a wyld kind of (nonsence) difference between *Restraint* and *Legal Imprisonment*, (which all but himself laughed at.) *The King cannot plead* Dures; *no man can imprison or hurt the King in his politick capacity as King*, *though in his natural capacity as man*, *he is as*

passive as other men. To which was replyed, *That it had been frequently said in the House, the King was a prisoner. That there was no difference in Law, between a restraint and an imprisonment, whether legal, or illegal. A tortious restraint is called in Law,* a false Imprisonment. *That former Kings have avoided their own Acts by pleading* Restraint (*or Imprisonment*) *and* Constraint, *as R. 2. H. 3. That the King may as well plead* Imprisonment, *as the Parliament plead a* Force, which they have lately done. That the Kings Restraint in Law is *Artta custodia*, God grant it be *salva custodia*; we have lately had Information to the contrary. The distinction between the Kings *natural* and *politick capacity* was Treason in the *Spencers*, and so declared by 2 Acts of Parliament in the time of *Edw.* 2. and *Edw.* 3. See *Calvins* case in my Lord *Cook* they are unseparable by the Law. *Tho. Scot* argued, *That the City was as obnoxious to the Kings anger as any part of the Kingdom; and if the Treaty should be in* London, *who shall secure us that the City will not make their Peace with the inraged King, by delivering up our Heads to Him for a sacrifice, as the men of* Samaria *did the heads of the* 70 *sons of* Ahab? It was farther moved, *That if the King came not to* London, *but to one of his houses about* 10 *miles from* London, *That He might be desired to give His Royal word to reside there until the Conclusion of the Treaty.* Col. *Harvy* slighted this motion, vilifying the Kings Royal word, and saying, *There was no trust in Princes;* he alledged, *the Kings promises had been frequently broken; as when he protested the safety and privileges of Parliament should be as precious to Him, as the safety of His Wife and Children, and within three or four dayes after came with armed Guards to force the House,* and other instances which have been too often remembred, and shall be here omitted.

At last they fell upon a report, that the Committee of Lords and Commons had Voted, *They would not insist upon the* 3 *Votes preparatory to a Treaty*, viz. *Presbytery, the Militia, and recalling all Declar. Procla. &c.* This was long argued to and fro. At last it was Voted, *that the King be desired to assent to the said* 3 *preparatory Propositions, and sign them with his hand, to be passed as acts of Parliament when the King shall come to* Westminster.

99. My Lord Say's discourse about a Personal Treaty.

My Lord of *Warwick* had moved in the Lords House about this time *for a Personal Treaty*, and was seconded by the Earl of *Northumberland*;

Northumberland; but my Lord *Say* opposed it, and prevailed against it: afterwards my Lord *Say* in his way home visited the Duke of *Richmond*, and amongst other discourse, told the Duke *He was sorry to find so great an indisposition to peace*, saying, *he had moved for a Personal Treaty, but could not prevail*; this was done upon hopes the Duke would have writ so much to the Queen, or Prince. But the Earl of *Holland* coming that day to see the Duke, and the Duke relating to the Earl what the Lord *Say* had told him, the Earl of *Holland* discovered the truth to him, and so spoiled the design: you see the Devil doth not always own the endeavours of his servants.

100. The news of the D. of *Buck.* taking Arms.

The said 5 *July*, the Speaker, as soon as he sate in his Chair, alarmed the house of Commons with the news of the Duke of *Buckingham's*, and the Earl of *Holland's* drawing into an hostile posture; relating *they were* 2000. *that they intended to take* Lambeth-house, *that the Bullets would presently be about their ears if they did not rise*; which put the zealots into such a rout, that they presently cried, *Adjourn, Adjourn, until Monday*; and had hardly so much patience as to hear any reasons to the contrary; but this was but a counterfeit fear: the design hid under it was, to prevent the City from bringing in that day their Petition *for a Personal Treaty*, and to leave the whole power of the House, during the Adjournment, to the Committee of *Derby-house*, to raise what Horse and Foot they pleased, under colour of suppressing this Insurrection.

101. *Skippon* authorized to raise 1000 Horse.

For when they found they could not prevail to Adjourn, they moved for power to be given to Maj. Gen. *Skippon* to raise Horse, whether to possess the Avenues and passages from the City to the Earl of *Hollands* army, or to keep the City under the terror of a Horse-Guard, is doubtfull.

102. A Report from *Derby-house* that the Members should underwrite for maintaining of Horse.

And the same day Mr. *Swinfin* reported from the Committee of Safety, *That they offered to the Consideration of that House, that it was fit the House should have a Horse-Guard, and that every Member should underwrite how many Horse he will pay for* 10 *days.*

This is refused by some Gentlemen upon these grounds.

1. *It bears the aspect of an Imposition or Tax set upon the House by their Committee.*

2. *The Members have not suffered alike; and therefore cannot do*

do alike, ſome have loſt much and got nothing, others have got much and loſt nothing: and it is not equall that Loſers ſhould bear equall burthens with Getters, and contribute out of their Loſſes to maintain other mens Gains, and preſerve them in their rich Offices, and Biſhops Lands purchaſed for little or nothing. Gentlemen are made Beggers and Beggers Gentlemen.

3. *It is a dividing motion tending to lay an imputation of Malignancy and diſaffection upon thoſe that cannot, as well as thoſe that will not ſubſcribe, and ſo gives a great advantage to the Gainers over the Loſers,* which the Loſers have no reaſon to ſubmit to.

4. *A Perſonal Treaty being now in debate, this motion makes many Members forbear the Houſe, who cannot grant, and dare not deny: It carries with it therefore ſomething of deſign and terrour, and ſo takes away the liberty of Parliament, which when ſo weighty a buſineſs is handling ought to be.*

If this Horſe Guard be raiſed, how ſhall we aſſure our ſelves they ſhall be Disbanded after ten days, being once under Command? It is therefore a ſubtile, malicious, tyrannous act, for the Committee of Safety to put ſo tempting a motion upon the Houſe, and give men cauſe to ſuſpect that ſomething of Deſign and Danger lies hid under it.

103. The device of a forged letter

About this time a Letter without any name ſubſcribed, was left at Major General *Brown's* houſe, in his abſence: conſiſting of two parts.

1. *A Preamble, of great reſpect and love born to him by the Epiſtoler for his fair carriage to the King, and good affection to peace, and reconcilement with the King.*

2. *An Admonition to look to himſelf, and moderate his Actions, the Army looking upon him as their onely Enemy, and Opponent in the City, leſt they ſhould ſeize upon him and carry him away, or do him ſome other miſchief.* This is conceived to be an Independent mouſe-trap ſet up to catch a Presbyterian in; for if the Major General had not diſcovered the ſaid Letter, and it had been found about him, or in his Houſe; or if it had been teſtified that ſuch a Letter was left at his houſe and concealed: here had been matter enough for an Impeachment againſt him.

104. Correſpondency with *Card. Mazarini.*

The Grandees of *Derby-houſe* and the army ſolicit the detaining of the PRINCE in *France*, and the delaying of his journey

journey for *England*, left he trouble the yet unsetled Kingdom of the Saints. To negotiate which, they have an agent lying Leiger with Cardinal *Mazarini* (the great French instrument of State) who is so well supplied with Money, and so open handed, That it hath been heard from *Mazarin's* own mouth, *That all the money the Queen and Prince hath cost the Crown of* France, *hath come out of the Parliament Purse with a good advantage.* It is likewise said, *Mazarini hath an Agent here, to drive on the Interests of* France *in* England.

105. *Doleman's* Antimonarchical Book printed.

The Grandees in reference to the pulling down of Monarchy, and the establishing of their Oligarchy or Tyranny (contrary to their Remonstrances, Declarations, the National Covenant, and their late Vote, *That they would not alter the ancient form of Government by King, Lords, and Commons*) have caused the Book writen by *Parsons* the Jesuit, 1524 (under the feigned Name of *Doleman*) and called [*A conference about the succession of the Crown*] to be published, under the Title of [*Several Speeches delivered at a conference, concerning the power of Parliaments, to proceed against their Kings for mis-government.*] *Parsons* had made this Book a *Dialogue*, these men have made it into *Speeches*. The Arguments and Presidents are meerly the same; you see they can joyn Interests with *France*: Doctrine with the Jesuits, to carry on their design, and reduce us to the condition of *French* Peasants or Slaves, under the Kingdom of the Saints. *Doleman's* Book was condemned by act of Parliament, 35. *Eliz.* But what care the Grandees for acts of Parliament, having fooled the people into a belief, That both the *Legislative* and *Judicative* power is in the two Houses of Parliament without the King, and that an *over-powring party or Junto in the two Houses* (complying with an army to keep the rest under force and awe) *is the Parliament.*

See the Conclusions, 15, 16, 17.

106. The Legislative, Judicative power, and the Militia, where they reside.

The Parliament consisteth of 3 *Estates.*

1. The *King*, whom the Law calleth, *Principium, Caput & finis Parliamenti*: and therefore he only can *Call*, He only can *Dissolve* a Parliament, and is himself called and chosen by none, being *primus motor*, that animates all.

See the Conclusions, 15, 16, 17.

2. The *Lords*: who have their creation and vocation only from the Kings bounty.

3. The

3. The *Commons*, who have their *ſummons* onely from the Kings Writ, though their *election* from the people; and in that reſpect only (the people being too diffuſed a Body to be Aſſembled) they have ſomething of *Repreſentation* in them, being the Epitome of the people. Theſe 3 *Eſtates* concurring, have power to *make new Laws, to change or repeal old Lawes*, and in ſome *doubtfull caſes rarely happning* (which the Judges dare not venture upon) they have power to *interpret the Lawes*. This is a wiſe and politick conſtitution, for *if any one, or any two of the ſaid three Eſtates* ſhould make new Laws, Change, Repeal, or Interpret old Laws, arbitrarily and at pleaſure, *without mutual agreement of all the three Eſtates*, it were in the power of *that one or two to enſlave the other Eſtate or Eſtates ſo omitted*. Beſides, the Law doth not favour the making of new Laws, nor the changing and repealing of old Lawes, being an innovation that ſtirs too many humors in a body politick, and indangers its health, and brings contempt upon the Laws: *Leges priuſquam lata ſunt perpendenda, quando lata, ſunt obediendæ*, ſaith *Ariſt. Pol.* But though all 3 *Eſtates muſt aſſent to the making, altering or repealing a Law, yet any one of the* 3 *Eſtates hath a Negative Voice*, and may diſſent from ſuch making, altering or repealing, to avoid innovation, as aboveſaid. How then can the two Houſes of Parliament exerciſe the Legiſlative power, and make, change or repeal any Law by Ordinance, without the King, (the firſt Eſtate and head of the Parliament) and ſo deprive Him of His Negative Voice, and the people of their Laws, Liberties, and Eſtates, contrary to 9. *H.* 3. *Magna Charta*, 1 *part. Inſtit. ſect.* 234. *in fine.* 7. *H.* 7. 14. eſpecially when this very Parliament declares in the *Exact Col.* 1 *part. p.* 727. *That the King hath a Negative Voice, and that Bills are not Laws* (or Acts of Parliament) *without the Kings aſſent* (conſequently not Ordinances.) And as the two Houſes take upon them the *Legiſlative power* without the King, ſo in the caſe of the 4 Aldermen and Sir *John Maynard*, they uſurped a *Judicative power* in caſe of Treaſon tryable in the Kings Bench: yet it is moſt certain, that when the 3 *Eſtates in Parliament have paſſed any Act, their power determines as to that Act, and then the Authority of the Judges begins*, which is Judicative: whoſe Office is (upon caſes brought before them) to determine *whether that Act be binding or no*; (for

1 H. 5. 4. H. 7. c. 18. 12. H. 7. c. 10 1 Ja. c. 1. 2 Ch. c. 1.

Acts

Acts of Parliament *against common right, Repugnant, or Impossible*, are Void (*Cook* 8 *f.* 118. Dr. and Student, *l.* 1. *c.* 6.) *and to expound the meaning, and signification of the words of such Act.* If therefore the 2. Houses usurp the *Legislative* and *Judicative* power, or the *Militia*, otherwise then hath been by the fundamental constitution of this Monarchy, and the practice of all ages accustomed, the Grandees of the two Houses and army seem to lay claim to them all by the Sword, for in the late Declaration against the *Scots* Papers, *p.* 64. they say, *That they engaged in this war upon these principles*, viz. *To keep the Legislative power, and the exercise of the Militia, without and against the Kings consent*: and *p.* 63. *ibidem*, the Members tell us, *that in all matters concerning Church or State, we have no judge upon Earth but themselves.* It follows then, the Grandees do it to subvert the ancient Government, Laws and Liberties of this Nation; and establish a Military Oligarchy, or the Kingdom of the Saints over us in themselves. In order to which design they have put all things out of order, and turned them upside down; nay, they have crucified the whole Kingdom with Saint *Peters* Crucifixion, the head downwards, and the Heels upwards.

When this King went into *Scotland*, He compared the Common-wealth to a Watch, which they had taken in pieces; and advised them to keep every piece and pin safe, and put all in their right places again; but now all the principal pieces are either broken, or lost. God grant them to number their hours better hereafter, and to close well with our Master Work-man; for though this Kingdom hath always been *Ruled by King, Lords, and Commons*; yet by the KING, *architectonice*; and by the *other* Two, *organice*; the King as the Architect, the Lords and Commons as His Instruments; each in his proper sphere of Activity, without interfering: and till this again come in use, look for no peace.

The Independent Grandees of the Parliament and army are much offended with the City, and their adherents, in Petitioning for a Personal Treaty with the King, and give out, *That when they have done with* Colchester, *they will humble the City, and bring it to better obedience*, for which purpose, they have already taken all the *Block-houses*, upon the River East of the City, *Windsor-castle* West of the City, and are now fortifying *Gyddy-hall* neer *Rumford*

107. The armies aspect upon the City and personal Treaty.

Romford in *Essex* South from the City; the like they intend at *Hampton-Court*; and to build a Fort upon the *Isle of Dogs*, to keep under the Sea-men: whereby, possessing the principal ways, and Avenues to the City, they shall neither feed, nor Trade, but at the discretion of the army. In the mean time the Cities desires of a Personal Treaty are delayed and made frustrate by a tedious conference between a Committee of Parliament, and a Committee of Common-council. And Counter-Petitions against a Personal Treaty are sent about by Alderman *Gybs*, *Fowke*, *Estwicke*, *Wollaston*, *Andrews*, *Nye* the Independent Priest, and others, (who hold rich Offices by favour of the Grandees) to be subscribed even by Apprentice Boys; whereby it appears the Independents have no intent to make peace with the King, but to engage in a new War, thereby to continue their army, and our Slavery.

The yearly Income they raise upon the people under colour of this War, (besides the Kings Revenue, Sequestrations, and Compositions) amounts to three Millions sterling *per annum*, being six times as much as ever the most greedy & burdensom of our Kings raised: where our Stewards hide these our Talents (publick Debts and Arrears being unpaid) were worth finding out, if any but the Devil could give an Account thereof. But this is an unfoundable Gulf, here my plumb-line faileth me.

108. Major Gen. *Skippon's* complaint.

The 10. of *July*, Major General *Skippon* complained in the House of Commons of a printed Paper, called, [*A Motive to all loyal Subjects, to endeavour the preservation of his Majesties Person*] wherein (he pretended) he was falsly and scandalously slandered for speaking some words in the House to divert the Examination of Mr. *Osborn's* Charge against *Ralf*. The House (that is, the Independents) were as diligent to become his Compurgators, and vindicate his credit, by passing and Printing 5. Votes for him, as they had formerly been to ruine the *KING'S* Honour by passing a Declaration against Him. This fellow *Skippon* was heretofore Waggoner in the Low-countries to Sir *Francis Vere*, after that came over into *England* a poor forlorn Commander, and obtained of the King his Letters of Commendation to keep a kind of Fencing School in the City Military yard, and teach the Citizens the postures of the Pike and Musket, and Train them; where he wore the mask of Religion so handsomly, that he soon insinuated

insinuated into their favours, and found them very bountifull Patrons to him; there he got his fat belly, and full purse; from the City he became Major Generall to the new-modelled army: and observing some discontents arising between the City and army, and being willing to keep two strings to his bow, that he might uphold his credit with the City, he voluntarily submitted himself to some affronts, purposely and politickly put upon him in the army; and yet that the army might understand him to be their creature, he marched with the army in their Triumph through the City, still carrying himself as a moderate reconciling man, and sweetning the insolencies of the army, by making milde and fair interpretations of their actions: yet still so much magnified the power of the army, as if he would perswade the City they were beholding to the army, for making no worse use of their strength against them: Thus (as many other moderate, prudential men do) he lay a good while undescried in the bosome of the City, and there as a Spie and Intelligencer kept Centry for the army, untill such time as the City petitioning the Commons for *restoring of their own Militia to them again*, the Council of the Army, (to mock them with an uneffectuall *Militia*) by their engaged party in the House, and the Committee of *Derby-house* (of which Cabal *Skippon* is one) caused their confiding man *Skippon*, not only to be named of the Committee of the *Militia* (although no Citizen) but to be obtruded upon the City as their *Major General, Commander in Chief of all their Forces*, without whom nothing is to be acted. This being resented and opposed, as contrary to the Cities Charter and Liberties, *Skippon* found he was discovered, and then (taking advantage of the Earl of *Holland's* going forth into arms) upon a report from the Committee of *Derby-house*, the Commons ordered, *that a Party of Horse should be raised and listed under Skippon: Skippon* by vertue of this Order granted Commissions to divers schismaticall Apprentices to raise men underhand, and authorized the said Commissioned Apprentices to grant Sub-commissions again to other Apprentices under them for the like purpose: This was pretended to prevent Tumults and Insurrections, but indeed it was to joyn with the Independent party of the City, and the army, (when they have done their work at *Colchester*) in purging the Presbyterians out of the Common-council and Parliament; in

reference whereto, the army have resolved not to march Northwards against the *Scots*, untill they have brought this City to more absolute obedience, or laid it in the dust, according to *Cromwel*'s advice; as a preparative to which design, the prevailing party in the House, *July* 15. (hand overhead) Voted, *All such* Scots *as are come into* England *in hostile manner, without consent of both Houses of Parliament of* England, *Enemies to the State; and all such* English *as do or shall adhere to, aid, or assist them Traitors:* and the next day following, *Weaver* openly in the House affirmed, *that the* Scotish *design of* D. Hamilton, *the* Colchester *design, and that of the Earl of* Holland, *were all begun and carried on in the City of* London: to which *Ven*, the two *Ashes*, *Harvy*, *Scot*, *Miles Corbet*, *Blackstone*, Sir *Peter Wentworth*, and others gave applause: so here a foundation laid for a new Charge against the City, when the army are at leasure to make use of it. This Hypocrite *Skippon*, when he had spoken any thing in the House prejudicial to the King or City, about a Week after (when the venom he hath spet hath wrought its effect, and is past remedy) usually complains in the House, *that his words are carried forth of the House, and maliciously and falsly reported in the City to his disgrace and danger*, and repeating in a more mild and qualified way some part of what he had formerly said, appealed to the House, *Whether that were not the full truth of his words?* When the House, having forgotten his former words, no man can, and (for fear of the envy and malice of a powerfull Faction) no man will contradict him; this is his way of Apologizing and clearing himself. He hath got above 30000l. in his purse, besides 1000l. a year land of Inheritance given him by the Parliament. He hath secured his personal Estate beyond Sea, and his Wife and Children, and thereby withdrawn all pawns and pledges of his Fidelity both out of the power of the Parliament and City, and is here amongst us but in the nature of a *souldier of fortune*.

Yet they knew they came in by Authority of the Parl. of *Scotland*.

106. D. Hamiltons Army Voted Enemies.

Note, that upon the said 15. day of *July*, when the debate was *for Voting the* Scots *that were come in, Enemies, &c.* the first question was put, *that all such* Scots *as are, or shall come into* England, *in hostile manner, without consent of both Houses of the Parliament of* England, *were Enemies, &c.* but upon farther debate, the words (*or shall*) were left out, upon this Consideration, *that the Earl of* Argyle *might happily come into* England *with a Party, and fall upon*

upon Duke Hamilton *in the rear to divert him.*

July the 20. The Speaker told the Commons, *that Major Gen-* 110.
eral Lambert *had made stay of a Scotish Gentleman, one Mr.* Haly- D. *Hamilton's*
barton *who passed through his quarters with Letters from D.* Ha- Letter and
milton, *to the two Houses, and the King; that he found about Mr.* Declaration
Halybarton *divers private Letters, for the carrying of which,* brought to
he had publick no Authority, and therefore Lambert *made bold to* the House.
seal those private Letters in a packet by themselves with his own seal and Mr. Haly-bartons: *That* Lambert *had sent up Mr.* Haly-barton *with one Lieut. Col.* Osburn, *a Godly Scotish Gent. and* 111.
another Keeper, in nature of a Prisoner. This *Osburn* delivered that L. Col. *Osburn*
private packet to the Speaker; so a Committee was named to per- a fugitive Scot.
use that private packet, and *Osburn* was called in to speak what he knew; who delivered at the Bar, *that the Godly party in* Scotland *were oppressed and trodden under foot by Duke* Hamilton's *party, that their very souls were afflicted at his proceedings, that the Kirk of* Scotland *with one mouth proclaimed in their faces their engagement and proceeding thereupon to be damnable and destructive: he desired the House not to look upon these proceedings as the Act of the Nation of* Scotland, *since there were a great many Godly men who hoped the Lord would enable them in his good time to march into* England *with the Marquesse of* Argyle *and fall into the rear of Duke* Hamilton *with a diversion.* He reported *the* Scots *that came in to be but* 8000. *Horse and Foot, and* Langdale *but* 2000. Then was read the Letters of D. *Hamilton*, wherein *He complaineth no answer had been given to the Parliament of* Scotlands *just desires of the* 26 April *last, that by authority of the Scotish Parliament he was necessitated to come into* England *according to the Covenant, and not without the invitation of divers wel-affected English who had taken the Covenant.* There was a Declaration inclosed in the Letters, which the prevailing party obstructed the reading of (yet the Lords having printed it, they have since read it in the House) and presently the question was put, *that all such English as have invited the* Scots *under D.* Hamilton *to come in hostile manner into* England, *shall be declared traytors:* and carried in the Affirmative. I formerly told you, that about 12 *July*, *Weaver* moved, *that the Prince of Wales might be Voted a Traitor*: what they could not then carry with a fore-wind, they now brought in again with a side wind; but who doubts but the Prince invited in

the

the Scots to the relief of his Father and himself oppressed and imprisoned, contrary to the Solemn League and Covenant, by a Rebellious army, and a schismatical party of both Houses engaged with the said army: *And that the Scots are come in according to the Covenant only?*

112. A motion in the House of Commons to Bayl *Rolf.*

A little before this time *Tho. Soot*, Sir *P. Wentworth*, *Blackstone*, C. *Harvy*, *Hill* the Lawyer, and others pressed the House with much earnestness to *Bayl* Rolf, *committed Prisoner to the* Gatehouse *upon the Complaint of Mr.* Osburn *for endeavouring to make away the* KING: using many words in his commendation for *his godliness and faithfulness*, and complaining of *his hard usage in Prison* where he lay amongst *Rogues*. It was opposed by many, because *High Treason is not baylable by the Law*, neither *is the House of Commons a Court of Judicature*; and therefore can *neither Imprison, nor Bayle any* but their own *Members*. At last Mr. *Sam. Brown* moved, *that a Committee might examine the business for matter of Fact, and report to the House, and then the House (if they saw cause) might Bayl him; and bind over Master* Osburn *to prosecute him next term in the* Kings-bench. This motion took effect, and great care was take for the present, that *Rolf* might have better entertainment in the *Gate-house* according to his quality; having been not long since a Shoo-maker, one of the *Gentle-craft*.

113. The Speakers Warrant to search for the Foot-boy that beat Sir *Hen. Mildmay.*

About this time, 2. Files of Musketiers, by warrant from the Speaker of the House of Commons, came in the dead time of the night to the Houses of Sir *Paul Pynder*, and Alderman *Langham*, pretending to search for the Foot-boy that beat Sir *H. Mildmay*. They forced open the doors of Sir *Pauls* house, and searched with great diligence; but could not do the like at Alderman *Langham's*, who being guilty of having some Money in his House, durst not adventure to obey the Warrant and open his doors; nor had he reason to do it, his House (by the Law) being *his Castle of Defence, the privilege thereof not to be violated but in case of Felony or treason*. Compare the diligent prosecutions in the behalf of Sir *Henry Mildmay*, with the slack and negligent proceedings in the behalf of the King, and you will find a new practical Law (contrary to the old known established Law) *that a trespasse against a Grandee* (though but a Subject) *is more than a treason against a King*.

Fears,

Fears and Jealousies arising from several Informations (as that of *Cropley* and *Hyde*, called, *The Resolutions of the Army*) and diverse other Symptomes of danger, but especially *Skippons* secret Listing of Schismatiques in the City amongst the Congregations of Mr. *Goodwin*, Mr. *Patience*, and others, with power given him to kill and slay; his listing servants against their Masters, and setting up a Power against a Power had provoked that dull beast *the City* to know their own strength, to look into their Charter and the Customes of the City, and to Counter-list in their own defence: for which purpose, they passed an Act of Common Council, dated 27. *July* 1648. which was soon complained of in the House of Commons by *Ven*, *Harvy*, *Pennington*, and other ill Birds of that Corporation, who usually defile their own nests, after many aggravations; that after they had fought with the King for the *Militia*, any power out of the Parliament should presume to exercise it: a Committee was appointed to Treate with a Committee of the Common-Council, *to hear what they could say for themselves, and by what authority they claimed the use of their own Militia*. The Committees met, and amongst other things the said question was asked, *by what authority they listed men?* To which was answered, *That they did it by the Law of Self-defence, warranted by the Law of God, of nature, and of the Land*: and by a farther Authority, to question which, would make little for the advantage of the Parliament: This mysterious answer stopped the mouthes of the Parliament Committee. If *London* should plead their Charter and usages, other places might doe the like; so this businesse was shut up in silence. Note that many Sectaries of *Westminster*, *Southwark*, and the *Hamlets* have been invited and countenanced to petition the House of Commons *against uniting their Militia's with* London, *upon pretended cavils*: As that they desired to have equall number of Voices in the *Militia* with *London*: But since *London* beareth 7. parts of 9. in the charge, it is an unreasonable demand.

114. Fears and jealousies cause the City to resume the power of their own Militia.

By Orders (as is thought) from *Derby-house*, Colonel *Jones* Governour of *Dublin*, hath seized upon most of the Presbyterian Commanders thereabouts, & sent them Prisoners to *Westchester*, as Sir *Maurice Eustace*, Sir *John Gyford*, Col. *Willoughby*, Colonel *Flower*, Major *Stephens*, Major *Capron*, *&c.* to make room for Independent Officers in his Army, *that the Saints only may possesse the*

115. The Governor of *Dublin* seizeth and sendeth over Prisoners the Presbyterian Commanders.

the good things of this world; but chiefly, that his Army being Commanded by Antimonarchical Schismaticks may the better sympathize and unite with the Antimonarchical Papists in *Owen Roe Oneal*'s army, against the Lord *Inchiquin*, whereof the said Lord hath given some hint, as I have afore said. You see the predominant Principle is *Antimonarchy*, which easily overswayes *Religion* on both sides.

116. A Frigot of the Princes taken with many Letters and Commissions.

Sir *Miles Levesey* having casually taken a little Frigot of the Princes, called the *Christopher* manned with one Captain *Green*, and 8. men, took divers Commissions in her, and a Letter of Mart, granted to the said Captain *to make prize of Rebels and Enemies Goods*, and a paper of Instructions, prohibiting *Green to use any Hostility untill the Prince had published his Declaration, and until it were designed who were His Enemies*; other writings were then taken, which were referred to a Committee of the House of Commons to peruse and report. Mr. *Lechmore* reported from the said Committee, *That some of those writings were not fit to be published in the House*, (hereby you see that the House is already divested of that power and Authority which the People have Trusted only them with, & all is now usurped by confiding Sectary Committees) so Mr. *Lechmore* reported, *That there was an Adjudication out of the Princes Admiralty held in the* Isle of Jersey, *whereby a Ship belonging to one* Tucknell *was adjudged against him, upon this ground given in the Adjudication, That* Tucknell *had taken that* damnable Oath *called* [*The National Covenant.*] I appeal to any man, that doth not hastily beleeve all he hears, whether it be probable the Prince (in such a conjuncture of time, when the Parliament it self says, *That the Prince invited the* Scots *to invade* England, *and had declared for them*) would hazard the losing of the *Scots*, by inserting such a clause in the Adjudication? All is not Gold that glisters; these Letters may be St. *Martins* ware, counterfeit stuff.

117. A design to seize on divers Presbyterian Aldermen, Lords and Commons.

About this time (it is reported by some that professe to know it) there was a design for *Skippon*'s new listed-men to seize upon Alderman *Langham*, Alderman *Bunce*, and some of the Lords and Members of the House of Commons in the night; whereof notice being given, some of the Members knowing that Treachery (like the Basilisk) dies if it be first seen, to shew that it was discovered, caused one of their Party in the House, to move, *That*

Skippon

Skippon *might be Ordered not to joine on, kill or slay any Member of either House.*

An order passed the House of Commons for the Earl of *Warwick, to fight the Prince at Sea.* It was sent up to the Lords, and passed that House too; whereby it became an Ordinance. Yet some of the Lords entred a protestation against it, as the Earls of *Lincoln, Suffolk*, Lord *North*. 118. An Ordinance for the Earl of *Warwick* to fight the Prince at Sea.

2. Of *August*, The Zealots of the House of Commons fell again upon the businesse of *Rolf* at an unseasonable hour of the day, and in a thin house. They ordered *a Conference with the Lords about him*, and *that the Lords be desired to joyn with the Commons in Bayling of him*; and yet, for Treason, a man is not Baylable by Law. I cannot hear that Mr. *Osburn*'s time of staying with Freedom and Safety to prosecute *Rolf* is renewed by the Commons, although it be expired; you see the Iron-bound Saints of the Army are impregnable, even against High Treason; if this Puny Saint be so inviolable, what hope have Major *Huntington*, and *John Lilburn* to be heard against *Cromwell*? 119. More endeavours of the Independents in favour of *Rolf*.

For if the man such freedom have,
What then must he that keeps the Knave?

Yet if *Rolf* had but bastonadoed Sir *Henry Mildmay* (and that's no great matter) peradventure he had been prosecuted in earnest.

Thursday, 3. *August*, a Letter from the Earl of *Warwick* was read in the House of Commons complaining *of the Refractorinesse of the Sea-men, and that he could not govern them without a Commission for Martial Law*; which was readily assented to; as any thing that cries up Arbitrary power, above the known Laws, usually is. But how this will agree with the discipline of the sea, and how they will fight being so yoaked, I know not. 120. A Letter from the Earl of *Warwick* for Martial Law at Sea.

The same day a Letter passed the House of Commons, directed to the Assembly of the Kirk of *Scotl.* setting forth what the Parliament had done in way of setling peace, reforming the Church and Universities, and maintaining the Covenant and union between the two Nations, and complaining of Duke *Hamiltons* Invading *England* under the Authority of the Parliament of *Scotland*, to the Kirk there. How dangerous this president may prove to both Kingdoms, to make a few ambitious, pædantical Church-men supreme Judges over Parliament and State-affairs, 121. A Letter from the Parliament to the Assembly of the Kirk of *Scotland*.

in ordine ad Deum: and how apt they are to lay hold upon such occasions, and kindle their zeal into a consuming flame, I leave to all wise men to judge.

123. A Declaration and 2. Letters from the Prince, to the City. The Commons Debate upon them.

Thursday, 3. *August*. The Sheriffs of *London* and some of the Common-council brought to the House the Copies of two Letters they had received from the PRINCE; one directed to the Common-council, *expressing his Highnesse good affection to Peace, and to the whole City; and his endeavours to vindicate his Fathers Liberty and just Prerogative and Rights; to restore to the People their Laws, Liberties, and Property, to free them from that bondage under which they were now held like a Conquered Nation, to ease them of Excise and Taxes, to settle Religion according to his Fathers Agreement made with the* Scots, *and to reduce all things into their ancient and proper Chanel.* This Letter was accompanied with his Declaration to the same purpose. The other was to the Merchant Adventurers, *Informing them he had made stay of 3. of their ships, but without any intent to make prize of them, desiring to borrow* 20000l. *of them to be repayed out of the Customes, and requiring their speedy answer.* To which Col. *Harvy* (first aggravating many faults in the King's Government, according to the scandalous Declaration against him) said, *The Prince was his Fathers own Son, as like him as could be. That he had invited the* Scots *to come in, and declared for them; and had been formerly in Arms against the Parliament. That he was but a subject*; And moved the House to declare him a *Rebel and a Traytor*. Sir *Peter Wentworth*, Mr. *Knightly*, and Mr. *Blackstone* seconded him with much earnestnesse; so did *Edward Ash*, who farther moved, *That the Common-council and Merchants should give no answer to his Letters*, saying, *there was no danger the Prince should make prize of their ships, for that he had engaged to the States of the* Low-countries *to do no act prejudicial to Trade.* At last the Debate was put off until the next day, being Friday: when the Speaker putting the House in mind of it again, It was earnestly called upon by the younger Sir *John Evelin* (Mr. Solicitors shadow) *Scot, Weaver, Holland, Boys*, and almost all the Godly Gang. So the Debate was resumed: and *Weaver* went very high to try the temper of the House. But the Debate *in Terminis*, That *the Prince should be declared a Rebell and a Traytor*, was soon laid by (though violently pressed) chiefly upon these reasons.

1. That

1. That they had not the Originals of the Princes Letter and Declaration, (which the Common-Council ſtill kept) but onely Copies, not ſo much as attested upon Oath by any authenticall Clerk; therefore no legal proceedings could be upon them.

2. To Vote the Prince a Traytor the ſame day when they ſent Meſſengers to invite the King his Father to a Treaty of Peace, would argue no peaceable inclination in them, and would be ſo underſtood by the People.

3. They were engaged by the Nationall Covenant to defend the King's Perſon, Crown and Dignity; but the Prince, Heir apparent to His Crown, was (next under God) the chief ſupporter of his Crown and Dignity, therefore to Vote him a Traitor was to ſubvert his Crown and Dignity.

4. By the Stat. 25. *Edw.* 3. it is *High Treaſon to endeavour the deſtruction of the Prince, the Kings eldeſt Son*; but to declare him a Rebel and a Traitor, was to endeavour to deſtroy him; and therefore High Treaſon.

5. The people were already jealous that the KING and His Poſterity ſhould be laid by; and in them the Monarchical Government of this Nation ſubverted, and a new form of Government introduced; they had already by the Votes of *No Addreſſe to the KING*, and by their Declaration againſt Him (wherein they ſay, *They can no longer confide in Him*) laid by the KING, and now to Vote the PRINCE a Rebel and a Traitor, was to lay by both him, and his Brother the DUKE of *YORK*, who adheres to him, which would exceedingly confirm the people in their feats. But what they could not do expreſly, they did implicitly, by Voting *All that ſhould adhere to, aid, or aſſiſt the* PRINCE, *Rebels and Traytors*: Hereby they put a tie upon the City not to redeem their Ships, by lending 200001. to the Prince; & yet had a Pirat taken them, it had been lawful to redeem them.

All that adhere to the Prince, declared Traytors.

Saturday, 5. *Auguſt*. The Houſe of Commons went upon the Commiſſione 's to judge of Scandals; there was a Clauſe in the Ordinance, *forbidding the Nomination of ſuch as refuſed the Nationall Covenant*, which was ſtrongly oppoſed by the Independents, who argued, *That the National Covenant was but a League ſworn mutually by the two Nations; that the* Scots *by Invading* England *had firſt broke it, and thereby ſet the* Engliſh at liberty from it; *that*

125. The National Covenant.

the Covenant was not Jure divino, *no more then Presbytery was.* To which was answered, *That the large Treaty containing the League between the two Nations,* so did not the Covenant, which was *a Vow made unto God with our hands lifted up to heaven, for the maintenance and observation of the ends and principles expressed in the Covenant, from which no power on Earth can absolve.* That though the Covenant was not *Jure divino,* yet the keeping of it after we have taken it is *Jure divino,* it being the revealed will of God, *that we should not offer to him the sacrifice of fools*; a Covenant to day, and break it to morrow.

134. A new Militia erected in every County, in the hands of Sectaries.

Monday 7. *August.* A particular Ordinance *to put the County of Wilts into a posture of defence* was read, many that were named to be Deputy Lieutenants, or Commissioners, were mean petty fellows, as one *Read* a Serving-man, and others, such as refuse to Act upon the Ordinances *for setling Church Government,* and declare *that our Ministery is Antichristian,* and are new dipped Brethren that have been re-baptized. *These to have power to raise what men, and put arms into what hands they list; to fine* 10l. *and twenty days Imprisonment for every default, and to levy* 400l. *a week upon that poor County over and above the Taxes to* Fairfax's *Army, and* Ireland, *and Free quarter.* The general Ordinance to trust the Counties with their own defence, is obstructed, to give way to these particular Ordinances, That all the Arms and Garrisons of the Kingdom may be put into the hands of Antimonarchical Sectaries, and the *Militia* of Godly Cut-throats established in every County towards the putting down of Monarchy, and the erecting of the many-headed Tyranny of the Saints of *Derby-house* and the Army. This Ordinance was committed.

135. Letters uncharacterized, a new invented net to catch Presbyterians in.

Tuesday, 8. *August. Thomas Scot* made report to the House of Commons of the private Letters brought out of *Scotland* by Master *Haly-barton,* (whereof I have formerly given you notice) this Gentleman being a publique Messenger from the Kingdom of *Scotland,* (and not from Duke *Hamilton* or his Army, whom only the House of Commons have declared Enemies, without the concurrence of the Lords) hath leave given him by the Lords to stay a Month in *England*; yet the Commons have since Voted he shall be gone in twenty four hours, or else he shall be sent home in Custody. These Letters are most of them written in Characters, yet this wel-gifted Brother *Scot,* hath found out a New Light

Light to Decypher them by; and can tell by Inspiration, or by Privilege of Parliament, what Cypher or Character must signifie such a Letter of the Alphabet, or such a mans name. This engine added to the Schismatical High Commission or Committee of Clandestine Examinations, is better then any spring or trap to catch any active Presbyterian that lies crosse to the design of the Godly.

They may suppose any mans name to lie hid under such or such Characters and Cyphers, and so accuse him by vertue of this mysterious art, of aiding or complying with the Scots or the Prince, and pin whatsoever the Faction pleaseth to call Treason upon his sleeve; these are the Arts of the Godly to make Innocency it self seem nocent, and remove out of the way such as hinder the erecting the Kingdom of the Saints.

These Letters so decyphered, were afterwards at a Conference reported to the Lords.

Wednesday 9. *August.* The answer to the City Petition (the day before delivered to the House of Commons) was reported to the House. It was an answer to some of the Prayers of that Petition only, but gave no answer to their desires, for the Disbanding of all Armies to ease the people of their burdens. The restoring of the peoples Laws and Liberties. The enjoyning all Members to attend the House; nor to the effectuall observation of the self-denying Ordinance: this last is a *noli me tangere*; if all Members should be enjoyned to be self-denying men, there would be few Godlymen left in the House; How should the Saints possesse the good things of this world? yet (after some debate, and divers expressions used by *Weaver* and *Harvy*, That it appeared by the Petition that the City would desert the Parliament) they gave an answer to their desires concerning the union to be kept with *Scotland*, and a Cessation of all acts of Hostility during the Treaty of Peace; That they had Voted the Army under Duke *Hamilton* Enemies, and Declared, They would Act accordingly against them, to which they would adhere. 116. The City Petition answered.

Master *Hungerford* argued, That because the Lords had denied to concur in the said Vote, he conceived the House could make no such Declaration, nor act therein without them. This put the Zealous into a flame, that any Member should argue against the Privileges of their House, so far as to deny them to be Almigh- 117. The Commons debate to take away the Lords Negative voice and act without them.

ty

ty singly, and per se; *Reynolds* the Lawyer positively affirming, *that the House of Commons (being the Representative of all the People) had power to Act without the Lords for safety of the people, in case the Lords deserved their trust*: you see in this doctrine (as it hath been already, and is likely to be practised hereafter) a ground laid to subvert the foundation of all Parliaments for ever, and to bring all degrees of men to a parity or levell. For the Parliament (by all the known Laws of the Land) consisting of 3. Estates,

1. *King*, 2. *Lords*, And 3. *Commons*,

Two of the Estates (*viz.* the Lords and Commons) have already laid by the King, and His Negative Voice; and now the Commons debate of laying by the Lords, and their Negative Voice, because (in their judgement) they desert their Trust. And so the Commons alone shall act as a Parliament without KING or Lords, until falling into contempt and hatred of the people, (which will soon happen) the Grandees of *Derby-house* and the army shall take advantage to lay the House of Commons by, and usurp the *Kings supreme Governing Power*, the *Parliaments Legislative Power*, yea and *the Judges Judicative Power to themselves*, and establish the *many-headed Kingdom, Tyranny, or Oligarchy of the Saints* (so much contended for) in themselves. *O populum in servitutem paratum!* as *Tyberius* said of the *Romans*. This is the tail of the Viper, here lies his venom.

118. Dead men Sequestred, and the Sanctuary of the Grave violated.

Saturday, 12. *August*, A Message was sent to the Commons from the House of Lords in the behalf of Commissary Generall *Copley*, who had bought, and had a grant of the Wardship of the Heir of Sir *William Hanshy*, for which he paid Fine and Rent, and was outed of it by a Sequestration laid upon *Hanshy's* Estate after his death, he having been never questioned for Delinquency during his life-time; and this was maliciously done about the time when Master *Copley* was Imprisoned by the power of the Independent Faction, (whereof I have already said something) Master *Copley* desired the Sequestration might be taken off, and he permitted to enjoy his Contract made with the Court of Wards; alleging, that to Sequester or condemn a man after his death, when he could not answer for himself, was against the Laws of the Land, even in the highest crimes of Felony and Treason: and produced a President; *That the Committee of Lords and*

Commons

Commons for Sequestrations had taken off a Sequestration from the Lands of Andrew Wall, for no other reason but because Andrew Wall *was Sequestred after his death.* The case was diversly argued; it was alleged, *that in cases of the highest Treason no man was condemned after death, because he was not then to bring to answer for himself, there could be no proceeding in Law against a new one.* In Felony *if a man will stand mute, he forfeits not his lands, because there wants an Answer,* and yet it was his own fault not to answer. The Parliament is bound by all their Declarations made both to KING and People, and by the Nationall Covenant which contains all the first and just Principles of the Parliament, *to defend the Laws and Liberties of the Land,* and not to subvert them. Take heed of giving so dangerous a President for Kings to act by hereafter against the People, and against this Parliment and their friends; since no man yet knows which way the tide may turn. But the Independent Faction (whose interest it is to keep themselves rich, and all men else poor) argued the case meerly upon point of profit and conveniency, and neglected the right and *jus* of the businesse. They alleged, *That men of desperate resolutions would not reward the losse of their own lives, so as they might preserve their wives and Children: That the State* (as they pleased to stile it) *would lose much by such an example, they would not therefore approve of the lenity of the Lords and Commons used in* Wallis *case; many had been Sequestred after death,* and so arguing *a facto ad jus*; alleged, *that in case of Adowsons, satisfaction had been awarded out of dead mens Estates.* But they forgot that out of Sequestrations no satisfaction is given to the parties wronged; the Committees and Sequestrators imbezelling the profits of them to increase their own gains, not bestowing them to repair injured mens losses, and so the equity upon which this President is founded, faileth in case of Sequestrations. Thus you see these greedy Canibal Saints (like the hungry dogs that ate *Jesabel*) will devour carrion, or any thing that will make them fat and full: yet they declared, *They were willing this Sequestration should be bestowed upon Master* Copley *as a Gratuity, not as a Right for fear of the example.* Observe, that if Master *Copley* had waived his Title by Composition, and accepted this Wardship as a Gift, they would presently have published it in their *News books*, and *Gilbert Mabbot* should have proclaimed to all the world, that

Presby-

Presbyterian and Independents might be thought alike guilty of impoverishing the Kingdom: for the Faction labours nothing more than to have Companions in their sins and shames: At last it was passed, That Mr. *Copley* should have the Wardship restored to him, but great care taken it should not be drawn into example hereafter, that a man may not be Sequestred for Delinquency after his death, *Cavete vobis mortui atque sepulti*, dead mens graves are not secure from these *Lycanthropi*, these *Lou-garous*.

129. The messengers to the King, Report their message in the House of Commons.

Monday, 14 *August*, Master *Bulkeley* in the name of himself and his fellow-Comissioner Sir *I. Hippesly* (sent to the King to acquaint him with the Vote of the two Houses, *That they desired a Treaty with the King upon the propositions of* Hampton-Court *in what place of the Island of* Wight *He should think fit, and that the Treaty shall be with honour, Freedom, and Safety to His Majesty*) Reported to the House of Commons all the circumstances and emergencies of their imployment (the Kings Letter of Answer being carried to the Lords by the Earl of *Middlesex*, and therefore not delivered to the Commons for the present) which with much candor were related as followeth, *That the KING had them welcom, saying, they came about a welcome businesse (PEACE) which no man desired with more earnestnesse than Himself; and if there did not ensue a Peace, the fault should not lie at his dore; and that he feared no obstructions from any but those who gained by the War.* He farther said, *that His Majesty desired (immediately after the delivery of the Votes) to speak a word with them in private, which they modestly excused for want of Commission.* That about two dayes after his Majesty seeing the said Commissioners of the Parliament standing in the Presence chamber, first beckoned the Earl of *Middlesex* to him, and had some short discourse singly with him, and then with Sir *John Hippesly* and Master *Bulkley* one after another. These three Gentlemen afterwards comparing their notes, found the Kings discourse to every of them to be all to one effect, *viz.*, *Expressing his desires of a good peace*; and *importuning them to do all good Offices conducing thereto. He farther related, that when they took leave of his Majesty, he delivered his Answer in writing to them unsealed*; telling them, *He doubted not their fidelity, though ill use had been made of his last Answer which he sent open, it having been debated in private, & a prejudice put upon it before it was*

pre-

presented to the Houses. This free and unpartial Report shewing how earnest his Majesty is for Peace, did the King so much Right, that the Antimonarchical Faction looked upon it as done to their wrong, and *Herbert Morley* presently spit out his Venom to this purpose, Mr. Speaker, *These Gentlemen have delivered all to you but what they should deliver, that is, the Kings Answer, which they have suffered first to be carried to the Lords; they might have delivered you at least a Copy thereof* (it should seem *Morley* had forgot that the House proceeds not upon Copies) *My motion is, that since these Gentlemen have exceeded their Commission by conferring privately with the King, the House may do well either to question them therefore, or give them an Act of Oblivion for their good service.* This was cried upon a long time by the whole kennell of the Faction, and at last put off till the next day, when the Lords sending down the Kings Letter, the House should have the whole businesse before them.

130. The aforesaid Messengers again.

The next day being Tuesday, 15. *August*, the Kings aforesaid Letter of Answer with divers Votes thereupon were sent down from the Lords to the House of Commons, when presently the Beagles of the Faction spent their mouths freely against the said Commissioners again for lending the KING the civility of an ear in private, as aboveſaid. After a long debate, at last this Objection stopped the Mouths of Malice it self, *That if these Gentlemen had reported an aversuess in the King to Peace (and aggravated His Words as other Messengers had formerly done, whereof the King seem'd to complain) it would have proved a welcome discovery, and have been rewarded with Thanks instead of an Act of Oblivion.* So with much adoe, *Thanks were given to the said Gentlemen, with approbation of their proceedings.*

131. The *Militia* of *London*: Concerning private Listing by *Skippon*, and the *Militia* of the City.

The same day the *Militia* of *London* were called into the House of Commons, where Alderman *Gybs* in the name of the Common-council and *Militia* (not by Petition, but in a set Speech) delivered the fears and jealousies of the City (even of the gravest, wisest, and best affected) occasioned by *Skippon's* underhand Listing of Schismaticks, Antimonarchists; his setting up thereby a power against a power, to the endangering of a civil War within the Bowels of the City; weakning of the Trained Bands, debolhing Servants from their Masters, Children from their Parents. That under colour of *Skippon's* private Listings, other pri-

vate Liftings were carried on by Malignants, the Magiſtrates of the City not being able to queſtion either, and diſtinguiſh one from the other. That fear was a violent paſſion, and was now grown ſo univerſal, that the Common-council knew not how to give ſatisfaction therein, the Citizens uſually clamouring, *that if the Houſes did not give them leave to look to their ſafety, they muſt have recourſe to the Law of Nature, and Act in their Militia without the Houſes in order to Self-defence, allowable by all Laws, and practiſed by this very Parliament againſt the King, and by* Fairfax's *Army againſt this Parliament.*

The Prayers of his Speech were three.

1. That *Skippon*'s Liſted men might be under the Militia of the City.

2. That the expired Ordinance for Lifting Forces might be revived.

3. That the Militias of *Weſtminſter*, *Southwark*, and the *Hamlets* might be united with the City as formerly.

To this clauſe of having recourſe *to the Law of Nature for Self-defence*, great exceptions were taken in the debate of the Houſe by the two *Aſhes*, *Vin*, *Harvy*, *Scot*, *Weaver*, and other of the Godly pack. *That the Parliament having fought with the King for the Militia, and having got it by the Sword, any other Intereſt, upon any title whatſoever ſhould dare to lay claims to any part of it.* You ſee theſe Lyons of the Tribe will allow no Beaſts of different kind to ſhare with them in their prey, although they did ſweat and bleed with them in the hunting and catching it. The Grandees may as well ſay *they have conquered our Laws and Liberties*; for (as I have in my *General Concluſion* cited) they ſay, *That they fought with the King for his Negative Voice, and Legiſlative Power, and that God hath by the Verdict of the Sword given judgement for them*; and yet when the King claimed them by a better and more legal Title then the Sword, they could object the equity of the Laws againſt the killing letter of them, which they ſay, directs ſtill to the equitable ſenſe of all Laws, as diſpencing with the very letter thereof, as being ſupreme to it when ſafety and preſervation is concerned, and alleging, *That all Authority is ſeated fundamentally in the Office, and but miniſterially in the perſons; and that it is no reſiſting of Magiſtracy to ſide with the juſt Principles of Nature.* See the Declaration and Papers of the Army,

Army, p. 39, 40. and the Exact Collect. p. 519. & alibi passim: In conclusion, after a tedious debate, the desires of the Citizens were referred to a Committee of the House to be wyer-drawn into an Ordinance, *That all Forces raised, and to be raised in the City of* London, *and the Liberties thereof, should be subject to the Militia of* London (whereof *Skippon* is a Member) *and under the Command of Major General* Skippon. When this Ordinance will be perfected, what the sense and meaning of this Riddle is, and what dangers may befall the City if *Colchester* be taken, or the *Scots* beaten, before they have leave to put themselves into a posture of defence, God knows. It was farther referred to bring in an Ordinance for uniting the aforesaid *Militias*. You see how jealous they are of late of the *Militia*, since the Grandees entertained new Principles, and new designs. In the Propositions presented to the King at *Newcastle*, the Proposition for the *Militia* hath this proviso, Provided *that the City of* London *shall have and enjoy all their Rights, Liberties, Franchises and Customs, and Usages in raising and employing the Forces of that City for the defence thereof, in as full and ample manner to all intents and purposes, as they have, or might have used or enjoyed the same at any time before the making of this Act or Proposition: to the end that City may be fully assured, it is not in the intention of the Parl. to take from them any Privileges or Immunities in raising and disposing of their Forces, which they have, or might have used or enjoyed heretofore.* This is a clear confession, that by the ancient Customs and Usages of the City, they have Right to their own *Militia*, or else this *Proviso* were vain; howsoever the learned Counsel of the City fool them. The like *proviso* word for word is contained in the Proposition for the *Militia* of *Hampton* Court, saving that the last clause, *That the City may be assured the Parliament hath no intention to take from them any Privileges*, &c. is omitted, I think to please the army and their engaged party. See the Letters, Papers, Transactions of the English Commissioners in *Scotland* with the Scots, &c. p. 58.

Wednesday 16. *August*. The Kings said Letter was read, and the Lords Votes thereupon: first, (after some little opposition) the Commons concurred with the Lords in recalling the 4. Votes *for making and receiving no Addresses to or from the King*: thereby, 1. Absolving him from a kind of Parliamentary Excommunication. 132. The Lords Votes upon the Kings Letter, debated in the House of Commons.

2. Restoring to all Free-born Subjects the Liberty they are born to, of presenting their humble desires to his Majesty, and performing the duties of their Allegiance and Oath.

And 3. Reducing themselves unto that scope, and end, for which only the Writ summons them as a Parliament, *viz. To Treat with the King.* The second Vote, was, *To recall the Instructions of Parliament given to* Hammond, *how to carry himself in his Charge towards the King, His servants, and all Resorters to Him, &c.* This was laid by, to be debated in the last place, after all the rest of the Lords Votes. The third Vote read, was, *That such men of all professions as the King should send for, as of necessary use to Him in the Treaty, may be admitted to wait on him, and that He might be in the same state of freedom He was in when He was last at* Hampton-Court. This Vote (instead of concurring with the Lords) was divided. The first part (after many objections to it) was moulded into this following question, and carried in the affirmative, *That his Majesty might send for them of all professions, and he being desired first to send a List of their Names to the Parl. and nominating no Person excepted out of Pardon, none that have been in Actual War against the Parliament, nor any man that is under restraint of the Parliament.* The latter part of this Vote, *for enjoying such Freedom as he was in at* Hampton-Court, was diversly argued for the Ambiguousnesse of it; the question being, *Whether such freedom as the Parliament allowed him, or such freedom as the Army* (for their own ends) *gave him, de facto, were intended?* at last the question was agreed to be *in Terminis.* The fourth Vote was, *that the Scots should be invited to the treaty:* this likewise was doubtfully argued, 1. *Whether they should be invited by the Parliament? considering they had broken the large treaty, Nationall Covenant, and union, by surprizing and Garrisoning* Barwick *and* Carlisle, *and by entring* England *with an Army:* This was carried in the Negative. The 2. Debate, was, *Whether it should be left to the King to invite the Scots to send some persons authorized to treat upon such Propositions as they should make for the Intereſt of* Scotland *only?* This likewise was opposed for the reasons aforesaid, and because the Power and Authority of *Scotland* was now in the hands of Duke *Hamilton* and a few dis-affected persons, who were not likely to send any of the honest Godly party to Treat, where by the Treaty would be carried on

to

to the disadvantage and ruine of the Godly and of the Church, our only friends there: And Mr. *Ashurst* related, *That the major part of the past Parliament of* Scotland *over-powred the minor part by an Army, and so got the Engagement and other Acts, and the Committee of Estates passed, against which the Assembly of the Kirk (consisting of* 400 *persons) declared with one voice.* I know not what he meant, by saying *the major part in* Scotland *over-powred the minor*: when I consider that *major pars obtinet rationem totius*, the major part is virtually the Parliament, to which the minor part must submit; although here in *England* the lesser part of the Parliament engaging and conspiring with an army (whom themselves in a full and free Parliament had formerly declared *Enemies to the State*) overpowred the greater part, contrary to reason and practice. This question seemed to agree with the sense of the Independents reasonably well, because it leaves it onely to the pleasure of the King to Treat disjunctively with the *Scots* upon the sole Interest of *Scotland*, as men no ways concerned in the settlement of Peace in *England*; whereby it is tacitely inferred, that the Treaties, Covenant, and Union between the two Kingdoms is dissolved, so the question aforesaid was put with this addition, *that if the King shall be pleased to invite the* Scots *to send some Persons Authorized, &c. the Parliament will give them safe conduct.* The fifth Vote of the Lords was, *That* New-port *in the* Island of Wight *should be the place of Treaty*: to which the Commons concurred. With these debates ended this Week the 19 day of *August*.

About this time came forth a Book entituled, [*The necessity of the absolute power of all Kings; and in particular, of the King of* England] concerning which, I am to admonish the Reader, that it is conceived to be a Cockatrice hatched by the Antimonarchical Faction, to envenome the people against the KING and PRINCE.

133. A pestilent Book, called, [*The necessity of the absolute power of Kings, &c.*]

The next Week begins with Monday 21 *August*, of whose proceedings I can give you only an imperfect scambling relation; and so shall surcease all farther endeavours in this kind, because I have already delivered enough for your Instruction, if God have not appointed you to be led blindfold into the pit digged for your destruction; but principally because my good *Genius*, that furnished me with Intelligence, hath now retired himself

himself from acting without hope, to praying with faith, for his Country; being tired out with hearing and seeing so much sinne and folly as now raigns at *Westminster*: and I love not much to take news upon trust from the vulgar Peripateticks of the Hall.

134. Mr. *Martins* levelling practises and principles.

The chief things of note were, More Complaints of *Henry Martin*, who now declares himself *for a Community of Wealth*, as well as of Women, *and protests against King, Lords, Gentry, Lawyers, and Clergy*, nay, *against the Parliament it self*, in whose bosome this Viper hath been fostered, and *against all Magistrates*; like a second *Wat Tyler*, all Pen and Inkhorn-men must down. His Levelling Doctrine is contained in a Pamphlet, called, [*Englands Trumbler Troubled*] wherein, *All Rich men whatsoever are declared Enemies to the Mean men of* England, and (in effect) War denounced against them.

135. *Skippon's* Liftings.

Next, the Ordinance *for transferring over to the Militia of* London Skippon's *power of lifting men in* London, was passed in the House of Commons, with this Coloquintida in it, *That* Skippon *should name and appoint Commanders and Officers for the Forces lifted, to be approved of by the Militia of* London.

136. *Cromwel's* laureat letters 20. Aug. 1648.

A Letter from *Oliver Cromwel* was read in the House of Commons, *relating his easie victory over Duke* Hamilton *and Major Gen.* Baily, (which puts me in mind of *Ovid's* Victory over *Corinna*, of whom he saith,

Victa est, non agrè, proditione sua.)

and containing an admonition *not to hate Gods people, who are as the apple of his eye, and for whom even Kings shall be reproved: and exhorting the Speaker* (to whom it was written) *to fulfill the end of his Magistracy, that all that will live peaceably and quietly* (*viz.* in Vassalage to *Oliver* and his Faction, & neglect Religion, Laws, and Liberties) *may have countenance from him.* (God blesse all honest men from the light of *Oliver's* countenance, lest an *ignis fatuus* mislead them from the duties of their Oaths of Allegiance, Supremacy, Protestation, and Covenant) *and they that are implacable, may speedily be destroyed out of the Land.*

137. Martial Law in *London*.

To prepare the way to whose destruction, it was Ordered, *That an Ordinance be penned, and brought into the House of Commons, to try all such by Martial Law in the City of* London *as shall be found to plot, design, or contrive any thing, to endanger the Parliament or City.* And yet *London* is no Garrison now as it

was

was when *Tomkins* and *Chaloner* were tried; nor is there any Enemy considerable in the Field, whereby the known Laws of the Land may not passe currently through the Kingdom: but our known Laws are not written in blood; nor are they so flexible as to make all Traytors, the Faction pleaseth to call such.

Yet as cruel as these Caco fuegos of the Faction are to some, they have mercy enough for *Rolf*, whose Bail was again exceedingly pressed: and that his two Prosecutors *Osburn* and *Dowcet* should be under restraint in his stead; whom they have forejudged (out of the King's Letter to the Houses) not to be able to prove their information, whereas it may be discretion in the King not to encrease his danger by acknowledging it. 138. *Rolf's* Bail again pressed.

Saturday, 26. *August.* The King's Letter to the Committee of States in *Scotland*, &c. in Answer to their Letter sent to Him by *Haly-burton* (which Letter was taken from *Haly-burton*, although a publique Minister of State, and allowed by Parliament to carry their Letter to the King) was read in the House of Commons. 139. The KINGS Letter to the States of *Scotland* taken from *Haly-burton*.

I hear in general, that it was excellently well penned, and a very just, honest, and peaceable Letter. Yet it was Voted, neither to be sent to the Lords, nor to be restored to *Haly-burton*; but damned to close imprisonment in a Box, under Seal; lest the people should know how truly zealous his Majesty is to settle Peace in the Land: a mystery their understandings must not be trusted withall.

Prolegomena.

Premises, Protestations, and Covenants, made by this Parliament in behalf of the King and People.

After a repetition of many good Acts and Concessions obtained by this Parliament of the King for the ease of the People, they say farther, *that other things of main importance for the good of this Kingdom are in Proposition, &c. which yet before the end of this Session they hope may receive some progresse and perfection; As the establishing and ordering the Kings Revenue, &c. The Regula-* *Remonstrance 15. December 1641. Exact. Collect. p. 15.*

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zing of Courts of Justice, and the abridging both the delays and Charges of Law Suits, &c. Preventing the exportation of Gold and Silver; and the inequality of Exchanges between this and other Kingdoms; improving the Herring fishing upon our Coasts, &c. which things in all their Propositions and Addresses to the King have not been once mentioned, nor any thing else but what makes for the profit, preferment, and power of a few ambitious Grandees of the Parliament, and Army; in order to which, they demand the *Militia* of a standing Army, with an arbitrary power to raise what Forces by Land and Sea, consisting of what persons, and to raise what sums of Money out of every mans Estate they please: which power the King hath not to give, neither did He nor His Ancestors ever exercise: the only *Militia* they used having been either the *Posse Commitatus under the Sheriffs*, which is very legal and ancient, or *the Militia of Trained Bands under Lord Lieutenants, and their Deputy Lieutenants*, which is a new invention. Nor did the policy of our Law ever trust the *power of the Sword*, and *the Purse in one hand*, for fear of enslaving the People.

Ex. Col. p. 19. They farther declare, *That it is far from their purpose or desire to let loose the Golden reins of Discipline and Government in the Church, to have private persons or particular Congregations to take up what form of Divine Service they please, because they hold it requisite that there should be throughout the whole Realm a Conformity to that Order which the Laws enjoyn.*

Ex. Col. p. 203. They farther say there, *That the gracious favour His Majesty expressed in the Bill for continuance of this Parliament, and the advantage and security which they thereby have from being Dissolved, shall not encourage them to do any thing, which otherwise had not been fit to have been done.*

Ex. Col. p. 2d1. They conclude the said Declaration thus, *That they doubt not but it shall in the end appear to all the world, that their endeavours have been most hearty and sincere for the maintenance of the true Protestant Religion, The Kings just Prerogatives, The Laws and Liberties of the Land, and the Privileges of Parliament, in which indeavours (by the Grace of God) they would still persist, though they should perish in the work.*

Ex Col. p. 376. In their Declaration, 4. *June* 1642. The Lords and Commons do declare, *That the Design of their Propositions for Plate and Money is To maintain the Protestant Religion, the King's Authority and*

Person,

Person, in his Royal Dignity; The free Course of Justice, The Laws of the Land, (what then becomes of Martial Law, and Committee Law?) *The Peace of the Kingdome, and Privileges of Parliament.*

In their Propositions for bringing in Money and Plate, 10. *June* 1642. the Lords and Commons declare, *That no mans affections shall be measured according to the proportion of his offer, so that he expreſs his good will to the Service in any proportion whatsoever,* (that is, so that he ingage with them) yet notwithstanding the 29. *Novemb.* following, the same Lords and Commons appointed a Committee of 6. persons, who should have *power to Assess all such persons as were of ability, and had not Contributed, and such as had Contributed, yet not according to their ability,* (which is now looked upon as a Malignancy) *to pay such sums of Money, according to their Estates, as the Assessors, or any of them should think fit, so as the same exceeded not the* 20. *part of their Estates.* The power is still exercised by all Country Committees, to a 5. and 20. part, charged upon all men, even such as have been destroyed and undon, or laid forth themselves beyond their abilities, for their service to this Parliament. Ex. Col. p. 340. Ex. Col. p. 765.

In the *National Covenant* taken by this Parliament, and by them imposed upon the Kingdom to be taken with *hands lifted up to the most High God*, the Lords and Commons vow, *To maintain the King's Person, Crown and Dignity, in Defence of Religion, Law, and Liberties, &c. To suppreſs all Errors, Heresies, blasphemies, and Schisms; and to defend one another mutually in the same work with their lives and fortunes*; yet is the same Covenant now cast aside, and called, *An Almanack out of date.* Many men have been punished for attempting to keep it. And (I hear) the House of Commons are now upon passing an Ordinance for *Martial Law to be executed in* London, *upon all such persons, as having taken the said Covenant, shall attempt or design any thing against the Parliament or City of* London: what is this but to impose a special penalty upon such as have taken the Covenant, & leave those that have not taken it free? And who doubts but that the said Council of War shall consist of Anti-monarchical Schismaticks and Anti-covenanters, for the most part, who shall stretch every word to the utmost extent. And this is now in brewing, contrary to the *Petition of Right*, 3. *Caroli*, & *Magna Charta*, no considerable enemy being in the Field, and the Courts of Justice in *Westminster-hall* sitting:

nay, I hear (like *Janus Bifrons*) this Law (if I do not mis-call it) looks backwards to Acts past, as well as forward, contrary to the nature of all Laws, which have an admonishing power to warn men of the evil to come, before they can have a punishing power for evils passed: Therefore the Apostle saith, *Sin is a breach of a Commandement, (or Law) I had not known Sin but by the Law.* The Law therefore must be previous to the Sin. How the said Promises and Covenant, and many more have been kept, let the world judge.

What the Promises, Undertakings, and Proposals of the Army have been in order to setling the peace of the people of this Kingdom, and of the King's just Rights and Prerogatives, and their own Disbanding, are to be found in their many printed papers; which I will here omit, because they had no lawfull calling or warrant for such undertakings, and how they have been prosecuted and performed, is obvious to every capacity.

Out of these Premisses, I shall draw these Conclusions following.

General Conclusion.

1. The Grandees have subverted the fundamental Government of the Kingdom, and why.

1. THe *engaged Party* have laid the *Axe* to the very root of *Monarchy* and *Parliaments*; they have cast all the Mysteries and secrets of Government, both by Kings and Parliaments, before the vulgar, (like Pearl before Swine) and have taught both the Souldiery and People to look so far into them, as to ravel back all Governments, to the first principles of nature: He that shakes Fundamentals, means to take down the Fabrick. Nor have they been careful to save the materials for Posterity. What these negative Statists will set up in the room of these ruined buildings, doth not appear, only I will say, *They have made the People thereby so curious and so arrogant, that they will never find humility enough to submit to a civil rule*; their aim therefore from the beginning was to rule them by the power of the sword, a military Aristocracy or Oligarchy, as now they do. Amongst the ancient *Romans, Tentare arcana Imperii*, to prophane the Mysteries of State, was Treason; because there can be no form of Government without its proper Mysteries, which are no longer Mysteries than while they are concealed. Ignorance, and Admiration arising from

from Ignorance, are the Patents of civil devotion and obedience, though not of Theological.

2. Nor have these *Grandees* and *their party in the Sword*, dealt more kindly with the *Church*, then with the *Common-wealth*; whose reverend mysteries, their Pulpits and holy Sacraments, and all the functions of the Ministery are by their connivence profaned by the *clouted shoe*; *the baseest and lowest of the People making themselves Priests*, and with *a blind distempered zeal Preaching such Doctrine as their private Spirits* (spirits of illusion) *dictate to them*; But let them know, *that their burning zeal without knowledge, is like Hell fire without light.* Yet the greatest wonder of all is, *That they suffer the Lords Supper* (that Sacrament of Corroboration) *to be so much neglected in almost all the Churches in the Kingdom: Is it because men usually before they receive our Saviour* (that blessed guest) *sweep the house clean, casting out of their hearts* (those living Temples of the holy Ghost) *Pride, Ambition, Covetousnesse, Envy, Hatred, Malice, and all other unclean Spirits to make fit room to entertain* Jesus, *that Prince of Peace*, whereby the people having their minds prepared for *Peace, Charity* and *Reconciliation*, may happily spoil the *trade* of our *Grandees*, who can no longer maintain their usurped dominion over them, then they can keep them di-united with quarrels and feuds, and uphold those badges of factions, and tearms of distinctions and separations, *Cavaliers, Roundheads, Malignants, Well-affected, Presbyterians*, and *Independents?* or is it because they fear, if the Church were setled in peace and unity, it would be a mean to unite the Common-wealth, as a quiet cheerful mind often cureth a distempered body? I will not take upon me to judge another mans Servant; but many suspect this is done out of design, not out of peevishnesse.

2. They have subverted the Church.

The Sacrament of the Lords Supper discontinued, and why.

3. That these *Grandees* govern *by power*, not *by love*, and the *Laws of the Land*, (which was my last assertion) appears by

1. The many Garrisons they keep up, and numerous Army they keep in pay to over-power the whole Kingdom, more then at first the Parliament Voted, all in the hands of Sectaries.

2. Their compelling the Parliament to put the whole *Militia* of *England* and *Ireland* by Land and by Sea, in the power of Sir *Thomas Fairfax* and their party, together with all Garrisons.

3. The Grandees rule by the arbitrary power of the Sword, not by the Laws.

3. Nor do they think the Laws of the Land extenſive enough for their purpoſes; therefore they piece them out with Arbitrary Ordinances, impeachments before the Lords, and Marſhall Law, which is now grown to that height, that the Council of War, General, and Judge advocate of the Army do uſually ſend forth Injunctions to ſtay Suits, and releaſe judgments at Law, or elſe to attend the Council of War whereſoever they ſit, to ſhew cauſe to the contrary; and when Lieutenant Colonel *Lilburn* was ordered to be brought to the Kings-Bench-Bar, upon his *habeas Corpus*, Eaſter Term, 1648. *Cromwel* ſent word to the Lieutenant of the *Tower* not to bring him; and *Cromwel* was obeyed, not the Judges. Thus the *Laws of the Land* are daily baffled, that men may be accuſtomed to arbitrary Government, and thoſe actions which no *Law of the Land* calls a *Crime*, may be interpreted *Treaſon* when our *Grandees* pleaſe to have it ſo.

4. Their *allowing money* to ſome *Committees* to *reward Informers*, *Spies* and *Intelligencers*, to *betray* even their neareſt friends and relations.

5. Their *holding Honeſt*, *Generous*, and *Grave men in ſuſpicion*, and making the *Houſes of Parliament and Army* ſnares to them, expelling them with *falſe* and *extrajudicial Accuſations*.

6. Their *owning diſhoneſt*, *baſe-minded men*, that have *cheated the State*, as inſtruments fit to be *confided in*, and aſſociate with them in *time of danger*.

7. Their *impoveriſhing the people with confuſed Taxes*, *decay of Trade*, *and obſtructing of the Mint*, and *thereby breaking their ſpirits*.

8. Their *changing and dividing the Militia* of *London* purpoſely to *weaken it*.

9. Their *not reſtoring to the Countries their Militia*, and truſting them to *defend their own houſes* as formerly.

10. Their *nouriſhing Factions in the Common-wealth*, *Schiſms in the Church*.

11. *Expelling learned Divines* to let in *ignorant men*. All theſe are tyrannical policies grounded upon the old principle, *That a Tyrant ſhould deprive his Subjects of all things that may nouriſh courage*, *ſtrength*, *knowledg*, *mutual confidence and charity amongſt them*; which Maxime the Politicians ſay contains the *whole Syſteme or method of Tyrannical Government*.

4. As this encroaching Faction have *usurped all the Military and Civil power of both Kingdoms*; so they have *monopolized all the great Offices, rich Imployments, and Treasure of the Land*; they are clearly the predominant party in all *Money Committees*; they *give daily* to one another *for pretended Services, Arrears, and Losses, great sums of money*; many of their Largisses I have already set down. They gave lately to Col. *Hammond* Governour of the *Isle of Wight*, for his Table 20l. a Week, 1000l. in money, and 500l. a year land; to Major General *Skippon* 1000l. *per annum* land of Inheritance; to Colonel *Mitton* 5000l. in money; *Prideaux* hath 100l. a Week benefit by the Post-Masters place; his whole Estate (before this Parliament) was hardly worth a 100l. nor is he eminent for any thing but *impudence* and *arrogance*. Mr. *Rowse* hath *Eaton College*, worth 800l. *per annum*, and a Lease of that College worth 600l. *per annum*, Sir *William Alanson* the Hamper-Office, and *Crab Castle* worth 600l. *per annum*, bravely wooded: Alder. *Hoyl* of *York*, the Treasurers Remembrancers Office: Mr. *Sallaway* a poor Grocer, the Kings Remembrancers Office; neither of which, are able to read any one Record in those Offices. *Tho. Scot, Lambeth-house*: Sir *Wil. Brereton, Croydon-house*, Col. *Harvy, Fulham* and *Norwich-houses*. Mr. *Lisle* the Mastership of St. *Crosses*: *Dennis Bonds* 3. Sons. each of them a Place worth 500l. a year, besides many others. All the cheating, covetous, ambitious persons of the Land, are united together under the name and title of *The Godly, the Saints, &c.* and *share the fat of the Land between them*, few of them *pay any Taxes*, but *all the Land pays Tribute to them*.

4. The Independents divide the Taxes, Spoils, and preferments of the land between them.

It is thought this *Faction*, their *under-Agents* and *Factors* have cost this *Common-wealth* above 20. *millions* never laid forth in any publick service; nay, the *Treasurers* and *Publicans* of this *Faction* have *clipped* and *washed* most of the *Money* that comes into their fingers before they pay it forth, knowing that any money that comes out of their fingers will be accepted: *two Gold-smiths* are thought to be *dealers this way*, yet they *lay the blame* on the *Scotish Army*, as the *Cuckow lays her brood in other Nests*.

5. Having thus imped their wings for flight, they have provided themselves of places of retreat in case they cannot make good their standing in *England*: *Ireland* is kept unprovided for, that they may find room in it when necessity drives them thither. If their

5. The Independents provided of places of retreat to flee to.

their hopes fail in *Ireland*, they have *New-England*, *Bermudas*, *Barbados*, the *Caribby* Isles, the Isle of *Providence*, *Eleutheria*, *Lygonia*, and other places to retreat to, and lay up the spoils of *England* in: nay they usually send *chests* and *vessels with money*, *plate* and *goods* beyond Sea, with *passes* from the *two Speakers to let them passe without searching*: the *Navy* is in their power to accommodate their *flight*, and by their instruments called *Spirits*, they have taken up many Children and sent them before to be *Slaves* and *drudges* to the *Godly* in their *schismatical Plantations*, as the *Turk* takes up *Tribute Children* from the *Christians* to furnish his *nursery* of *Janisaries*; and so they have their *Agents* that buy up all the Gold they can get, *Cromwel* not long since offered 110000l. in silver for 100000l. in gold; besides he is well furnished with the Kings Jewels taken in his Cabinet at *Naseby*; many of them known Jewels, as the *Harry* and the *Elizabeth*.

6. The vulgar Independents but props and properties to the Grandees.

6. Nor shall the vulgar sort of *Independents* either in *Parliament*, *Army*, or *City*, fare better then the rest of the *Kingdome*. The *Grandees* both of *Parliament*, and *Army* endevouring to adjourn the *Parliament*, and draw all the power of both Houses into the Committee of *Derby-house*, consisting but of 30. or 40. the rest of the *Independent Members* will find their power dissolved in the Adjournment, and swallowed up by that Committee, and their services forgotten; nor shall they have any power in the *Militia*, which is the only quarrel between them and the King; the *Grandees* disdaining to have so many Partners in that which they have got by their own wits; for know, that the *Grandees* have always been winnowing the Parliament. First, they winnowed out the *moderate men*, under the notion of the *Kings party*, then the *Presbyterians*, and now they will winnow forth the *lighter* and more *chaffy* sort of *Independents*, who stand for the *Liberty of the People*; a thing which *Cromwel* now calleth, *A fancy not to be engaged for*; and so they will bring all power into their own hands. Thus having contracted the *Parliament* into a *Committee of safety*, they will adjourn themselves (though the Parliament cannot) to *Oxford* or some other place which they more confide in then *London*: and this is the *settling the Kingdom without the King*, they so much aim at; and which, they had rather the people should be brought *practically* and by *insensible degrees*, then by *Declarations* held forth to them before-hand, o

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by *politick Lectures* in the *Pulpit*. Thus it is decreed, that this Cabal of *Godly men* at *Derby-house* shall with *military Aristocracy*, or rather *Oligarchy*, rule this *Nation* with a *rod of Iron*, and break *them in peices* like a Potters *Vessel*.

Observe, that the *Ordinance* by which the *Committee* of *Derby-house* is revived, and the *addition* of Power to it, are purposely penned in such ambiguous terms, that *He that hath the Sword in his hands may make what construction of them he pleaseth*: neither were they clearly penned. Is it in the *power of the Houses* (being but the *Trustees* of the people) *to transfer or delegate their trust to a lesser number of men? a trust not being transferrable by Law, and the people having chosen a Parliament, not a Committee, to look to their safety and peace.*

7. The *Grandees* of the Parliament and army have brought the Kingdom to so miserable a condition, that they have left no Authority in *England* able to settle peace: The KING is a close Prisoner to the Army, therefore all he shall do will be clearly void in Law, by reason of *Dures*: The Parliament is in Wardship to them, who keep armed Guards upon them, Garrisons round about them, & by illegal accusations, blanck Impeachments, threatning Remonstrances, and declarations, *&c.* fright away many Members, and compell the rest to Vote and un-Vote what they please, whereby all the Parliament doth is void and null in Law *ab initio*, it being no free Parliament, but a Sub-committee to the Army, and living as the *Egyptians* did, under vassalage to their own *Mamaluchi*, or Mercenaries: The people therefore must resolve either to have *no Army*, or *no Peace*.

7. The Army hinder Peace and Settlement.

8. They have put out the eyes of the Kingdom, the two Universities of *Oxford* and *Cambridge*, and have brought the whole Land to make sport before them; knowing that *Learning* and *Religion* as well as *Laws* and *Liberties*, are enemies to their barbarous, irrational, and *Russian* way of Government.

8. The two Universities destroyed.

9. Many honest men took part with this Parliament, seduced by those fair pretences of *defending Religion, Laws*, and *Liberties* which they first held forth to the People; and being unwilling to have a *Parliament* conquered by *the Sword*, not thinking it possible that a *prevailing Faction* in Parliament should so far prevaricate as to *conspire to enslave King, Parliament, and Kingdom, to subvert the Laws, Liberties, and fundamental Government of the Land*, under

9. Many honest men seduced by fair pretences took part with them; never intending to leave their first principles, and enslave King and Kingdom.

under which *they and their Posterity were, and were likely to be so happily governed; and betray Religion unto Hereticks and Schismaticks, and share the spoils of the Commonwealth between them, and think of enriching themselves with them in forein Lands*, yet many at the beginning *much disliked*, that *Religion* should be used as an *ingredient* to the carrying on of a *Civil War*, and that *Schismaticks* should have so great a stroak in managing the businesse; yet were pacified with this consideration, that we must refuse no helps in our defence: if a man be assaulted by Thieves on the high-way, he will not refuse to joyn with Schismaticks or Turks in a common defence; the same authority that then countenanced those Schismaticks (it was hoped) would be able to discountenance them again when the work was done. But the *Grandees* of the Houses, (having other designs) had so often purged the Houses, that they left few honest moderate men in them to oppose their projects, till bringing in Schismaticks, and men of their own interests, by enforced and undue Elections, into their rooms, and so by insensible degrees, new modelled the House suitable to their own corrupt desires, and new modelled the Army accordingly; so that the people (who had no intention to be interested so far) were step by step so far ingaged before they were aware, that they could not draw their feet back, and do now find (to their griefe) that the Bit is in their mouths, the Saddle fast girt on their galled backs, and these Rank riders mounted, who will spur them (not only out of their Estates, Laws, and Liberties, but) into hell with renewed Treasons, new Oaths, Covenants and Engagements, if they take not the more heed and be not the more resolute: they have changed their old honest principles, and their old friends, who bore the first brunt of the businesse, and have taken new principles and friends in their room, suitable to their present desperate designs, and now (that they have squeesed what they can out of the Kings party) they think of sequestring their old friends because they adhere to their old principles.

10. Who are the Kings bitterest enemies.

10. Amongst those that are most bitter against the King, His own Servants (especially the *Judasses* of the Committee of the Revenue, that carry His purse, and have fingered more of His Money and Goods than they can or dare give an account for) are the greatest Zealots, those that take upon them imployments about his Revenue, and share what allowances to themselves they please

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for their pains; those that buy in for trifles old sleeping Pensions, that have not been payed nor allowed this thirty years, and pay themselves all arrears; those that rent parcels of the Kings Revenue, for the eighth or tenth part of the worth, as *Cor. Holland*, who renteth for 200l. *per ann.* as much of his Estate as is worth 1600l. or 1800l. *per annum*. Thus you see, the *Lion* (Lord of the Forest) growing *sick and weak*, become a prey and is *goared* by the *Ox*, *gitten* by the *Dog*, yea, and *kicked* by the *Asse*. Look upon this *president* you *Kings* and *Princes*, and call to mind examples of old, that of *Nebuchadnezzer*, and others, *lost by exalting your selves too high, you provoke God to cast you too low.*

11. Forged Conspiracies and false News.

When the *Grandee Independents* have a desire to *raise new forces*, or *erect new garrisons*, or use any *extremity against the City*, or *Royal party*, they commonly usher in their design with reporting to the House *the discovery of some new, invented conspiracy*, or *plot full of danger and destruction*; such as was that of *many thousand consecrated Knives*, and then propound their own foreseid *design* as a counsellable way to prevent it; and he that doth not *hastily believe their Informations*, or doth *argue against the remedies they propound*, (though he shew never so great inconveniency in them) is presently cried out upon as a *Malignant, that doth not take the danger of the Parliament to heart*, and branded by the *black tongues the Godly*; and when any *great business* is to be *treated of in Parliament*, or *City*, which they either *desire to promote*, or to *obstruct*, they commonly publish *counterfeit News*, and *Letters of great victories and successes*, gotten by their *Party* in parts so *remote*, that they cannot in a short time be confuted; this serves *to credit* and *animate their party* to go on *boldly with their work*, and *to dishearten their Opponents*; and though the profit and reputation of a *lie* is seldom long lived, yet if it last some few daies, untill they have *carried on their present businesse*, they care not: herein they imitate a *skilfull Architector*, who building an *Arch*, supports it in the beginning with *circular props*, and *pieces of Timber*, untill he hath closed it, and enabled it to support it self, and then throws away the *props*.

12. The Art of Slander and Calumny.

When they have a design to *ruine any man*, before they fall openly upon his *person*, they *secretly undermine his credit and reputation*, that afterwards *they may oppresse him with applause*, and they are so excellently well fitted with *Agents* and *Instruments* for this purpose, that they can prove what they list. The *close Commis-*

mittee of examinations is an excellent forge for these *contrivances*; they know where to find the *sonnes of Belial* (now commonly called *Knights of the Post*) who will cruft God with their *soules* to advance *the good Cause*; they have *secret examinations* of severall sorts, some *preparatory* only, amounting but to suspitions and presumptions, to wound a mans good name, and make him liable to more deadly blows hereafter; and some *consummatory*, laying the Axe to the root at the first blow: nor is it a small Artifice of theirs boldly to accuse other men of those *crimes* they themselves are *guilty of*, as they did the 11. *Members* of *trucking with the King*, being their own fault; by this meanes it doth *constare de re* presently, it appears such offences are committed: and if they can but fix them upon the persons of other men by bold *Accusations*, close *Examinations*, and *false Witnesses*, then *constat de persona*, they have found men to personate them, deputies to bear the ignominy and punishment of their sins: so some lascivious persons free themselves, bestowing their diseases upon others.

13. What a Confiding man is.

They account no man a *Godly*, *faithfull*, *confiding man*, but he that engages as far in sin, and makes himself as hopeless of reconciliation, as themselves. *Quis nunc deligitur nisi conscius?*

14. The last Retreat and Refuge of the Godly.

Since the *revolt* of some of *their Ships* hath almost made them *hopeless* of *transportation* to *forreign Plantations*, the *schismatical Grandees* have made Col. *Walton* (Brother-in-Law to *Cromwell*) Governour of *Lyn*, *Boston*, and *Crowland*, and of all that level of moorish Ground in the Illes of *Ely*, *Holland*, and *Marsh-land*, which they can lay under water at pleasure: it is a plentiful and strong fastnesse, able to feed 40000. men, besides the ordinary Inhabitants; there are but three passes to enter it, over three Bridges, upon which they have, or may build Forts, for their defence, & may from thence invade the adjacent Country at pleasure, being themselves free from incursions; or they may (if they list) break down the said Bridges. These places (already strong by nature) they daily fortifie by art; for which purpose great sums of *money* have been sent to him, and much *Arms*, *Powder*, *Ammunition*, and *Ordnance* from *Windsor Castle*: Here (when all other helps fail) the *Godly* *mean to take Sanctuary*, this shall be their last *retreat*, from whence they will draw the whole Kingdom *to Parly upon Articles of treaty*, and *enforce their peace from them at last*. These are the *stratagems of the Godly*: These are our *Saints*, no where *canonized* but in the *Devils Calendar*.

As

As the Church of *Rome* is never unfurnished with decrees and articles of Faith upon all emergent occasions; so the Grandees are never unprovided of *dormant Privileges of Parliament* (which they call (by a new canting word) *lex Parliamenti*, in opposition to *lex Terræ*) with these they bolster out their designs. These privileges were much insisted on in their Impeachments of the Members and Aldermen; and whosoever pleads against them in his own defence, and flies from those privileges to the known Laws for Sanctuary, is cried out upon for overthrowing the Jurisdiction and privileges of Parliament, and therefore guilty of Malignancy; thus *John Lilburn* suffers: if he does not plead against them, he laies his head on the block at the mercy of those merciless men. This net caught many a Wood-cock, until the said Aldermen and Sir *John Maynard* broke through it, and spoiled the cock-road.

15. Supposititious Privileges of Parliament: see *The History*, sect. 105, 106.

The Grandees of the Parliament and Army have totally subverted our fundamental Government and Laws, that they have neither Monarchy nor Common-wealth left; *non jam Respublica sed magnum latrocinium est*, we have not so much as a face and shadow of Government remaining; we have a KING *de jure*, but so wholly eclipsed and disabled to perform Acts of Government by his close imprisonment, that (for the present) we have no King *de facto*, and every man doth what seemeth good in his own eyes; we have Magistrates, Judges, and Justices *de facto*, but not being constituted and ordained by any lawfull Authority, nor under any authentical Great Seal according to the Laws of the Land, they are not Magistrates and Judges *de jure*, so that if we look upon the King our Supreme Governour, our violent Grandees have brought an *inter-regnum* upon us; If upon our Magistrates, Judges, &c. they have brought a *Justitium* (a total eclipse of justice) upon us: it follows then, that both the imperative and coercive power of the king and Magistrates, the legislative power of the Parliament, the judicative power of the Judges and Justices, are all suspended and in *Abeyance*: and like a Watch, when the principal wheels are broken, no part can move to perform its function. *Contzenius* the Jesuit in his *Politicks* saies, *He that will introduce a new Religion, or a new form of Government, must utterly abolish the old, and erect his new Fabrick upon the ruines of it.* You see they have been apt Scholars in this doctrine of the Jesuite this 7 years, which they have spent in De-

16. The confusion this Monarchy is brought unto: see *The History*, sect. 105, & 106.

modelling; but what form of Government our Grandees will erect upon the ruines they have made, doth not yet appear, nor how all just interests, and mens particular Estates shall be preserved from being buried under the ruines of this Earthquake.

17. The Regal, Legislative, and Judicative power usurped.

The King is the only supreme Governour of this Realm of *England*, to regulate and protect the people by commanding the Laws to be observed and executed, and to this end He (and He alone) beareth not the Sword in vain; yet the KING by himself can neither make, repeal, or alter any one Law, without the concurrence of both Houses of Parliament, the *Legislative power* residing in all three, and not in any one or two of the three Estates, without the third, and therefore no one or two of them can exclude the other from having a *Negative voice* in passing, repealing, or changing of Laws; nor can the King by himself, or joyntly with the Lords and Commons judge *what the Law is*, this is the office of the sworn Judges of the two Benches and Exchequer, who are the known Expositors, and Dispensers of *Law and Justice* in all causes brought before them; yea they do declare *by what Law the King governs*, thereby keeping the KING from governing arbitrarily and enslaving the People. And these Judges of the Law have always been authorized by the King; and all legal proceedings have been in his Name, and by his Authority 1200 years before *Magna Charta* granted, or any set form of Parliament established. The Law it self is called, *The Kings Law*; the Realm, *the Kings Realm*. He is the fountain of *justice, mercy, honour*, witnesse all our Statutes, Law-Books and Histories, and the Oaths of Supremacy, which every Member taketh before he sits in Parliament. Now for any one man, or any Assembly, Court, or Corporation of men (be it the two Houses of Parliament) to usurp these three powers, 1. The *Governing power*, 2. The *Legislative power*, 3. And the *Judicative power*, into themselves, is to make themselvs the highest Tyrants, and the people the basest slaves in the world; for to govern supremely by a Law made, and interpreted by themselves according to their own pleasure, what can be more boundlesse and arbitrary? they may put to death whom they please for what cause they please, and confiscate his estate to their own use; yet this the two Houses of Parliament, or rather an overpowring party in the two Houses, seasoned with a Schismatical humour of singularity, have lately done.

1. For

1. For the *Governing power*. 1. They coyn, enhaunce, and debate money. 2. They make War and peace, and continue an extraordinary Militia of an Army upon us. 3. They declare who are Enemies to the Realm. 4. They maintain foreign negotiations. 5. They regulate matter of Trade, and exercise other Regalities: whereas all *jura Regalia* belong only to the King as Supreme Governour.

2. For the *Legislative power*. They exclude the King from his Negative Voice, and the two Houses obtrude their Ordinances (things so new, that they are not pleadable in any Court of justice) as Laws upon the people; laying an excise, Assessements, and taxes upon the People: They Vote and declare new-Treasons, not known by the statute 25 *Edw.* 3. nor by any other known Law; yea even to make or receive any addresse to, or from the King; and they account it a breach of Privilege, if men do not believe it to be Treason, being once declared. They out men of their free-holds and imprison their Persons, contrary to *Magna Charta*, by Ordinances of Sequestration, &c.

3. For the *Judicative power*. They erect infinite many of new judicatories under them, as their Committees of complaints, of secret Examinations, of Indempnities; their Country Committees, where businesses are examined, heard, and determined without, nay against *Magna Charta*, and the known Laws: nay even in capital crimes they wave the Courts of Law, and all Legal proceedings by Outlawry, Indictment, or Tryal by *Peers*, and *Bill of attainder*; (which is the only way of Tryal in Parliament: For the Parliament cannot judicially determine any thing, but by Act of Parliament) and set up new-invented forms of proceeding before the Lords (even against free Commoners, although the Lords be not their Peers) as in the case of the four Aldermen, &c. and the *Arch-bishop of Canterbury*: They defend these doings by a pretended necessity of their own making: but when the King had neither Army nor Garrison in the Kingdom, and thereby this necessity was removed, why did they not (to prevent Tumults, Insurrections, and a new war) content the People, and return all things into their old Chanel, and restore to the people their Religion, Laws, and Liberties, being their first principles, for which they engaged them to spend their blood and treasure, and for defence whereof, they engaged themselves and us in a Covenant, with Hands lifted up to the High God? Why

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did they then provoke the Scots to a new War? but that they might have occasion to keep up their Army still, and inthrall the Kingdom: look upon their Doctrine, as well as their aforesaid practises, and you will find that all they do, is but to carry on a fore-laid design, to lay by the King and enslave the People, under the new erected Kingdom of the Saints: the Grandees of *Derby-house* and the Army. In the Declaration against the *Scots* Papers, *p.* 67. They have adjudged the King unfit to Govern, and *p.* 70. they say, the power of the Militia was the principal cause of their war, and quarrel with the King; and in their Declaration against the King, they say, they cannot confide in him. It hath been commonly spoken in the House of Commons, that the two Houses, nay, the House of Commons alone, is the Supreme power of this Nation under God. 16. *March*, 1642. Both Houses Voted it a High Breach of Privilege of Parliament, for any Person, (not excepting King or Judge) to oppose their Commands, or to deny that to be Law, which the two Houses declared to be so. In their Declaration against the *Scots* papers, p. 63. The Members say, That in all matters either concerning Church or State, we have no judge upon Earth but themselves. Who will account the *Popes* plenitude of power monstrous hereafter, that shall observe this Doctrine and practice of Subjects in Parliaments claiming and exercising a Supreme Government, (whereof the Militia is a part) a Legislative and Judicative power over the Consciences, Lives, Liberties, and estates of their fellow Subjects; And all this under colour of a necessity, raised by themselves out of a dispute they set on foot against the King, which they have affirmatively adjudged and determine for themselves against Him, without consulting the Laws, Statutes, and usages of the Realm; Nay, the very Oaths of Supremacy and Allegiance, which all with one voice speak against them? Who would think that a faction in Parliament, or any pest lesse than an Earth-quake or Deluge should in seven years time reduce so well-formed a Common-wealth into such a *Chaos*? Yet even now the people are promised to be governed by the known Laws, and Judges are appointed to determine sutes according to the Laws. Surely, There never was Tyrant that deprived his Vassals of a known Law amongst themselves, this were to disable them to acquire wealth, and so lose his own benefit of Taxes and Confiscations. By the Laws of *England*, a villain was protected in his goods against

all

all men, his Lord excepted: The *Turkish* Vassals heap up much wealth, and are protected against their fellow slaves, though not against their Grand Seigneor who may seize their estates, and take their lives at pleasure: And this is all the protection the people of *England* have now by the Laws. We have the benefit of Law one against another, (unlesse some Powerfull Member interpose) but against the two Houses, or either of them, or any Grandee, what Law, what Justice can protect our lives, liberties or estates? and yet we were allowed heretofore to make our defence in Law against the King. And until the King be again restored to his Right, expect no better Right to be done you by this heedless headstrong Faction in Parliament.

18. The final scope of the Grandees endeavours.

The summe of all their endeavours is no more but this; The Grandees of *Derby-house* and the Army have already by their Votes of *no Addresses*, and their scandalous Declaration *laid by the King, and in Him Monarchy*, (notwithstanding they delay and fool the people with tedious debates of a Personal Treaty,) And *when this innovation is digested* by the people, their next step will be to make use of the Schismatical, Antimonarchicall party in the House of Commons, Army and City, *to cast off the House of Peers*, as Prerogative creatures and rags of Royalty: (some Schismatical Plebeian Lords excepted, who shall recruit the Power they lose in the House of Lords, by being of the Committee of *Derby-house*) and when the people are well inured to this change, and the grievance of it worn out by custom, then *to lay by the House of Commons, and usurp the full Power of the King and Parliament into the* Committee of Safety at *Derby-house*, who by way of preparation, doe already stile themselves in all forein Negotiations, The STATES: Nay they do already act all matters of moment at home, and assume unto themselves all the properties of a State, the Parliament being but a Sub-Committee to them, upon whom they put what Impositions and Injunctions they please; witnesse the design put upon the House of Commons *for every Member to subscribe what number of Horse he would maintain for a Guard*; I know not whether to the Parliament, or to the Committee of *Derby-house*.

19. Prognostick of this Disease.

This disease being now come to its *Crisis*, it is no hard matter to prognosticat, That nature (that is, the King, our natural liege Lord) must inevitably prevail at last against this Antimonarchical Faction, for these reasons.

1. The

1. The King can never want a Party: the Parliament (or rather Antimonarchical faction in Parliament) can never manage a party without faction and confusion.

2. The King may husband his treasure to His best advantage: the faction in Parliament cannot, but must necessarily be cheated; that they may be followed and befriended: since only common crimes, and common profit glues and cements them together; and only such are found to be confiding men to them.

3. The King is now discovered, (to every common capacity) to have all the known Laws on his side: the Parliament all known Laws against them, and the people will no longer be governed without Law, by new Arbitrary inventions.

4. The King hath recovered all the peoples affections: the Parliament hath lost them; a privation which can never be reduced into habit again.

5. The King is allyed both in Consanguinity of Blood, and affinity of Cause with all the Princes of Christendom: the faction in Parliament are *terræ filii, fatæculi Gigantum*, Mushromes.

6. The Kings Army will obey Him and His Interest: the Parliaments Army will command them and their Interests: besides, they are men of different Principles and Interests, only help together by profit; and when that failes, they fall in sunder.

Nothing therefore but a free *Personal Treaty* in *London* can prevent a Conquest, whatsoever desperate forlorn people say to the contrary.

The Epilogue.

I Am not Ignorant that there is a natural purging, a natural phlebotomy, belonging to Politique, as well as to Natural bodies; and that some good humors are alwaies evacuated with the bad: yet I cannot but deplore what I have observed, That the honestest and justest men on both sides (such as, if they have done evil, did it because they thought it good; such as were carried aside with specious pretences, and many of them seduced by pulpit-devils, who transformed themselves into Angels of light) have always fared worse than other

men,

men, as if that difference between the King and Parliament were but a Syncretismus or illusion against honest men, may), I do further foresee, that in the period and closing up of this Tragedy, they will fare worst of all, because they have not taken a liberty to enrich themselves with publique spoils, and fat themselves by eating out the bowels of their mother, but are grown lean and poor by their integrity; whereby being disabled to buy friendship in the days of Trouble, they will be put upon it to pay other mens reckonings. When Verres was Prætor of Sicily, he had with wonderful corruptions pillaged that Province; and at the same time the Prætor of Sardinia being sentenced for depeculating and Robbing that Province, Timarchides, Verres Correspondent at Rome, writ a very anxious Letter to him, giving him warning of it: But Verres in a jolly humour answered him, That the Prætor of Sardinia was a fool, and had extorted no more from the Sardinians then would serve his own turn; but himself had gathered up such rich booties amongst the Sicilians, that the very overplus thereof would dazle the eyes of the Senate, and blind them so, that they should not see his faults: Such (I foresee) will be the lot of the more just and modest men, who shall be guilty because they were fools, as the other sort shall be innocent because they were knaves. Whatsoever befalls (you clear and innocious souls) be not ashamed, be not affraid of your integrity: if this Kingdom be a fit habitation for honest men, God will provide you a habitation here: if it be not capable of honesty, God will take you away from the evils to come, and pour out all the Vials of his wrath on this totally and universally corrupted Nation, this incurable people, Qui nec vitia sua nec eorum remedia ferre potest: for my own part, (if I am not such already) I hope God will make me such a man, Quem neque paupertas, neque mors, neque vincula terrent; and if Moses in an heroick zeal, to draw a remission of the peoples sin from God, desired to be blotted out of his Book, (the Book of Life) and St. Paul to be Anathema for his Brethren; why should not I (with relation to my self, and submission to Christ) say, Oportet unum mori pro populo, it is fit one man die for the people, and devote my self to death for my Country, as the family of the Decii in ancient Rome were wont to do? I have read and admired their examples, why not imitate them? is it because (as Machiavel saith) The Christian Religion doth too much break, enfeeble, and cowardise the spirit of man, by persecuting and subduing nature, by denying her due Liberty, and tying her to be more passive then active? At facere & pati fortia Romanum,

imo Christianum est; *or is it because in this generall deluge of sin and corruption, a publique spirit, and excellency in virtue is accounted a degree of madness? or is it because of the corrupt judgement of these times, which makes a man more infamous for his punishment then for his sin? and therefore Heroik alls are out of fashion: the circumstances and ceremonies of Death are more taken notice of, then Death it self; these follies weigh not with me.* Sublimis an humi putrescam, parvi refert. *The Thief upon the Crosse found a ready way to Heaven, How much more an honest man? Many a man out of Prison steps into Heaven, no man out of Paradise ever found the way thither:* Salebrosa fit via, modo certa modo expedita; alte succinctus ad iter me accingo.

THe Premises considered, I do here in the name and behalf of all the free Commons of *England* declare and protest, that there is no free nor legal *Parliament* sitting in *England*, but that the two Houses sit under a visible, actual and an horrid force of a mutinous *Army*, and of a small party of both Houses conspiring and engaged with the *Army*, to destroy, expell, and murder with false Accusations, and Blank and Illegal Impeachments and prosecutions, the rest of their fellow Members, who sate in *Parliament* doing their duty, when the two Speakers with a small company of Members, secretly fled away to the *Army*, & sate in Council with them, contriving how to enslave *King*, *Parliament*, *City*, and *Kingdom*, and how to raise Taxes at their pleasure, which they share amongst themselves and their party, under the name and title of *the Godly*, *the Saints*; and afterwards they brought the *Army* up to *London* against the *Parliament* and *City* in hostile manner, a design far exceeding the Plot of *Fermine*, *Goring*, *&c.* to bring up the *Northern Army to* London, *to over-awe the Parliament*: I do farther protest, that the two Houses have sate under the said force, ever since the sixth of *August* 1647. and therefore all they have done, and all they shall do, in the condition they sit in, is void and null in Law, *ab initio*, by their own doctrine and judgement included in their Ordinance of the 20. of *August* last, whereby they *null* and void, *ab initio*, all Votes, Orders, &c. passed from the 26. *July*, 1647. to the 6. *August* following.

Arguments

Arguments against all accommodation and Treaties, between the City of LONDON, *and the ingaged Grandees of the Parliament and Army.*

1. IT will never be safe nor honourable, for so great a City to accommodate and joyn interest with a conspiring Party, that by frequent violations of their faith and duty, have inslaved King, Parliament, City and Kingdom, and broken the Faith of this Nation, given to the Scots in the large Treaties, and in the National Covenant.

2. By accommodating with them, you make all their crimes your own; their subtilty being to involve you to joyn with them in defence of their crimes.

3. The Scottish quarrel is not against the English Nation, but against the treacherous and hypocritical Grandees, who by perjuring themselves, and falsifying their ingagements both unto Kingdom and Army, keeping the Souldiers by false suggestions from disbanding, and totally obstructing Irelands relief; and also a conspiring party in Parliament, who keep them up to make good the aforesaid crimes, forcing what Votes they please to passe, by over-awing the Parliament: witnesse Cromwels laying his hand upon his Sword, and forceing the House to passe those traiterous Votes against the King, contrary to their own Consciences, Allegiance, Protestations, Vow and Covenant, and to raise Taxes upon the people, which they share among themselves. This war is not like to be of any continuance, considering there being in the Army many conscientious men, who have had such ample experiment of the falshood of their Grand Officers, that they are not like to hazard their lives again under the command of such Grand Impostors as they are, also knowing the Genral hatred of the Kingdom to them, under whose insupportable burthens and oppressions it groaneth. Nor have we any way to break the power of the said Grandees of this Army but by the Scots, whereby the just rights and Interests of all the three Kingdoms may be settled, and Ireland relieved; All which the Scots have declared in their former Papers delivered to both Houses of Parliament.

4. If you accommodate with this faction, you must have the same friends and foes with them, as well as the same sins and quarrels; and then it will grow to a National quarrel between England and Scotland, which will be of long continuance and misery: and the Interest of the King and his Children, and of all Princes of Christendom con-

erned in the example, will be carried on in the Kingdom of Scotland against you, if you joyn with those beggarly Grandees, who have inriched themselves, and their fellow-Impostors, by the ruines of the Kingdom. You will lose your credit and interests with your friends and brethren of Scotland; the only fear and terror of whose coming into England kept this Faction (which all men know is never satisfied with money and blood) from taking many of your innocent heads from off your shoulders, and confiscating your Estates to pay the arrears of the Army: witnesse their often speeches to this purpose in the house of Commons, and their illegal and violent proceedings against you: you will likewise lose all the people of England.

I have shewed you your losses, let me shew you your gains by this accommodation, that by comparing one with the other, you may cast up your account whether you shall be gainers or losers by it.

1. They offer you the Tower of London, and your Militia to be restored (things of no great consideration) and your Aldermen and Citizens to be set at liberty: they do not offer to disband their Army, which makes them Lord it over you, and over power both Tower and Militia; and when they have divided you from all your friends, and destroyed your reputation, and are secure from the Scots, the same violence which at first took your Tower, your Militia and your most honest Citizens from you, can deprive you of them all again at pleasure, when you shall have none to stick by you: your obligation to them shall be of steel, theirs to you but of straw, be that gives me that he can deprive me of at pleasure, gives me nothing.

2. Cromwell and his party knew your City to be the entire strength of England. In Rich. 2. days (when it was not half so great and populous as now) it slew Wat Tyler and routed his rabble, six times as many in number as the Army. They therefore fear you, and consequently hate you, and labour nothing more then to divide and weaken you, which is their proper interest: For which purpose (to divide the City in it self) they caused the Parliament to change your Militia into other hands: they cut off Westminster, Southwark, and the Hamlets from your Militia, to weaken it; they have divided you from the Parliament, they have endeavoured to divide the Country from you, Ut dividendo singula imperent universis. Wherefore the Army in their Remonstrance 7. December 1647. Insolently demand Reparations from the City to the Country adjacent, for above 100000l. losse sustained through the Armies attendance on the Cities defaults; which was a device only to make the Country

quarrel

quarrell with the City, and to make the Army Umpiers.

3. *Conſider you ſhall joyn with them that never kept Faith longer then they may gain by it, whereof you have many examples. Any honeſt man may be deceived once, but he is a fool that will be deceived twice by one man.*

4. *Nay you cannot treat with theſe men, nor give them a Common Councel, or Hall, without loſſe and danger: they have always made lies their refuge, and built their Deſigns upon the ſandy foundations of Rumors and Fables.*

Cromwel *and* Glover *already give out, that they and you are as good as agreed, that you differ only upon a punctilio of honour, which will ſoon be reconciled: what is the meaning of this? but that they (having creatures of their own, Commiſſioners in* Scotland) *have advertiſement to ſpread the ſame reports there, thereby to take off the edge of your friends affections; to lay an imputation of inconſtancy upon you, and make you inconſiderable in the judgements of your beſt friends, and retard all indeavours for your ſuccour. In the mean time, this party hath blocked up all paſſages to* Scotland, *that truth can have no acceſſe to you, and you have only ſuch news as* Derby-houſe *doth pleaſe to impart to you. Theſe men have committed theſe crimes that cannot be ſafe without committing greater: they muſt on headlong: go not with them for company; they deſire to beſtow their plague-ſores upon others. Let it not trouble you, that the Parliament hath approved their ſubſcription of the Ingagement, with the Army; it was a Vote extorted in a thin houſe, many Members having been driven away by threats of the Army before, and there were many diſſenting Members. A little patience and conſtancy will ſettle you in a laſting peace.*

To petition the Houſes to repeal their four Votes againſt the King, is to ſave their reputation, that ſeek to deſtroy yours.

A ſeaſonable Caution to the City of London.

Gentlemen of the City.

YOur Neighbours of *Kent*, and other Counties wiſhing well to them, take it unkindly, that (notwithſtanding all theſe former admonitions) you ſhould let down your chains, and give a free march to this bloody, cheating, ſchiſmatical Army at all hours of the night through your City to cut their throats, and

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lend them 6000l. to enable them to march: when they had no other design, but in a peaceable way to deliver a Petition to the Houses, demanding nothing but what the Parliament by their Declarations, Covenant, the Oaths of Supremacy and allegiance, and the known Laws of the Land ought to grant; Onely, being fore-warned by the inhumane assassination of the *Surrey* Petitioners, they had some men in Armes, a sufficient distance from the Town, to secure their Messengers. They have by their Letters to your selves and the Houses manifested the clearnesse of their intentions to you all. They are known to be men of setled habitations and fortunes (for the most part) not vagabonds and Souldiers of Fortune like the Army. Their commerce with you help you both to trade and feed: whereas the Armies insolent march in triumph through your City, so far lessened your reputation ever since, that you constantly lose in your trading 200000l. a Week, and no Bullion comes into the Mint; whereby multitudes of you are undone, and yet the Armies Arrears, and all other Taxes are exacted from you with as much cruelty, as you lost nothing.

Remember that Butchery committed upon the unarmed Apprentices, when *Cromwel* cried to the Souldiers *to kill man, woman, and child, and fire the City*: at which time his Nose looked as prodigiously upon you as a Comet.

Remember the scorn put upon you by a Grandee when you were enabled to put up your Chains again; That the House had consented your Posts should have Chains as well as your Aldermen, and did as well deserve them. And *Weaver*'s word when your Guards came to attend the House, *that 60. of the Army should beat 3000. of them.*

Remember how unwillingly and juglingly they restored unto you the *Tower* (first plundered of all its ammunition you formerly had in it) and part only of your *Militia*, and that clogged with many restrictions: they that bestow gifts so grudgingly upon you when they are weak, will deprive you of them again when they are strong. Adversity makes them your false friends, Prosperity your real Enemies, Necessity only ties them to you: have a care therefore you do not relieve their necessities, lest you lose them, like the frozen Snake in the bosome, when they grow warm they will bite and sting.

You seem to have forgotten the unjust imprisonment of your Aldermen; the unfaithfulnesse and inconstancy of their Votes,

and

and Ordinances, even for security of Money, and Land bought; the severall Informations and Testimonies you had of their good intentions to borrow more of your Money, not by way of Loan, nor upon the Publique Faith, but by way of plunder. Notwithstanding all these injuries, and many more, (as if God had infatuated you, to destroy you) you suffer a corrupt Faction within you to List men (to the amazement of your neighbour Counties) whose principles you first examine; and if they be not *Independents*, you trust them not with Arms. I hear of a young man, who being asked, *of what principles he was?* he answered, *That in these doubtfull times he professed no principles but gain:* to whom was replied, *then we are of one principle, for we are resolved to keep what we have got.* Behold the Principle of these men that obtruct our peace! consider that Heaven and Earth have denounced war against these men, and that God himself hath touched the hearts of all men as one man to rise against them, & demand to have Peace, Religion, and Justice restored. When the whole Kingdom shall rise in a flame, what will be your lot, but smoak in your eyes, and at last a consuming fire in your bowels? when you only shall be left to maintain this domineering Army with your money, and to recruit them with your blood? many of their Officers say already, *That the Country is exhausted of Money, and you shall be their purse-bearers:* but because you are a curst Cow, they must keep the *Army* about you, that the Souldiers may hold you by the *horns* whilst their friends milk you.

Consider how absolute a necessity, and how general a resolution there is, that all things should return to their old channel: If you stop the violence of this Torrent, it will swell untill it overwhelm and drown you. You that are guiltless, joyn not with the guilty; you that are guilty sin no more; there will be mercy for you if you repent, and amend in time. The very multitude of offenders will help to excuse your offences; let not despair hurry you from one sinto another until you fall into destruction, as it did *Judas*, whose Despair (by all Divines) is held to be a greater impiety then his Treachery; by the first, he sinned against the God-head of Christ, by the second against his Manhood only.

The Remonstrance and Declaration of the Knights, Esquires, Gentlemen, and Freeholders in *COLCHESTER.*

PEtitions (the birth-right of Subjects) are by Law our addresses to our King, (Gods Vicegerent) *by custom our approaches to the Houses of Parliament, (His Majesties great Council,) by them we used humbly to present our modest desires, and were wont to receive answers (as* Gideons *fleece the dew) without noise, yet satisfactory; but that was denied our first Petition, and before our second could be ready, our brethren of* Surrey *by theirs ecchoed our prayer to both Houses of Parliament, but received their answer,* (as the Jews their Law) *in thunder and lightning, a two-edged sword the tongue, and the report of Muskets the voice, which spake nothing but wounds and death.*

We therefore thus admonished, resolved thus to present our grievances to the World, and our Petitions to Heaven, for a blessing upon our intended indeavours.

Our grievances are these:

1. *First, the distraction and threatned ruine of our glorious* Protestant Church, *the neglect and abuse of* Religion, *the destruction of our* Universities *(the springs of all Learning, Divine and Humane) occasioned by the fierce and ignorant Separatists, set up and maintained as Rulers both in Church and State, by the prevalency and violence of a rebellious and destructive Army, under the command of the L.* Fairfax, *and countenanced by the seeming Authority of a pack, unfree, and over-awed House of Parliament.*

2. *Next, that contrary to the Oath and duty of Allegiance (from which no power can, nor yet hath pretended to absolve us) our Soveraign Lord the King is by the design of the said Army drawn from His House at* Hampton Court *to the* Isle of wight, *and there by the power of* Col. Hammond *and others of the Army, Imprisoned, and detained from His Parliament; by which act the said* Hammond, *and all adhering to him, are according to the Votes passed in both Houses,* 16. March, 1641. Enemies to the peace of the Kingdom.

3. *A third, is the violent and unchristian separation of the* King, His Royal Consort and Children, *at once depriving His Majesty of the two first blessings bestowed on Man.*

4. *The*

4. *The forcing the* Queen *and* Prince *of* Wales, *to seek in a forein Nation, what in their own they could not enjoy,* liberty, *safety, and* support.

5. *The exercise of* Martial Law *while the Courts of Justice are open, and sitting at* Westminster, *the obstructing justice in our Courts of Judicature, and by the privat Committee of Indemnity perverting judgement, and exercising arbitrary power, which is a* subversion *of our ancient Laws, and an introducing of a* tyrannical government, *as was resolved by both Houses in the Cases of the E. of* Strafford, *and Archb. of* Canterbury, *and writ in their blood.*

6. *Sixtly, the present mischief and future danger to the whole Kingdom, by reason that the publique affairs of highest concern, are managed and carried on by a few particular men in a private Committee at* Derby-house, *wherein (contrary to the self-denying Ordinance) the prime actors are chief Officers of the Army, and have by our unhappy differences, possest themselves of the most beneficial offices and imployments of the Kingdom; and the other Places of profit and commodity, are by their design conferred on others, Members of the Army and Houses of Parliament, to purchase their compliance and Votes in all matters agitated in the Houses of Parliament: by reason whereof all motions* for His Majesties return to his Parliament *(the first step to our desired Peace) have been either totally rejected, or by them politickly delayed, because Peace would determine both their* power *and* profit.

7. *The* Estates of Delinquents, *the* Lands of Bishops, Deans and Chapters, *(designed by several Ordinances for discharge of* publique Debts) *are by the Houses and power of the Army shared and divided amongst themselves, while the* publique debts *be unsatisfied, the common Souldier unpayed, the maimed unrelieved, the Widdows and Children of the slain unprovided for, and all left burdens to the Commonwealth.*

8. *That the Army consisting of mean, ignorant and illiterate men, (only gilt with hypocrisie, divine and civil) under pretence of* tender Consciences, *(the better to induce and tolerate all Heresies) have expelled and suppresst all* learned Orthodox Divines, and Church Government, *and crying* Liberty, Liberty, *have subjected our Persons and Estates to arbitrary Law and tyranny; and by Rape imbracing the* Legislative power, *cuckolds the* body Politick, *giving Laws to the* whole Kingdom, *and yet by* Petitions *and* Remonstrances

make both Houses father *(as their own) the* adulterous issue.

9. *That this Army assuming to themselves the modelling and settlement both of Church and State, at* Windsor *in* April *last, in their Council did consult these* 3. *Questions.*

First, Whether shall we joyn with the Levellers, and new model both Church and State?

Next, Whether with the moderate Party, Treat, and receive the KING with more qualified and limited Power?

Thirdly, Whether Depose the KING, Dis-inherit the PRINCE, Crown the DUKE of YORK, and appoint a Protector?

The first was held to promise most of liberty *and* profit; *but threatned greatest* danger in effecting, *and* difficulty in continuing.

The second was said to be easiest obtained *and* continued, *because nigheſt to the present frame and constitution already setled; but would bring them* little of profit, *and* less of Soveraignty.

The third (like Benjamin, *last in birth, but first in the Parents affections) was held* not difficult to be acted, *but to be* maintained; *for it would require both the expence of much blood and money, and the Kingdome to re-act* York *and* Lancaster, *under the names of* Wales *and* York.

To this Lieut. Gen. Cromwel *answered*, It was the better, for that would necessitate the continuance of our Army, which secures our persons, will enforce our reasons, make just our demands, and facilitate their grant; For the bloud, that will flow from the cheap veins of Common Souldiers, whereof *England* hath plenty, and we will not want; For the money, *London* is our bank, and from their Purses it shall drain to our Coffers.

Commissary Ireton, *L. Gen.* Cromwel's *Son-in-Law, said*, The work was half done; for we have already Voted *no Addresses to be made to the King*, and Him guilty of crimes enough to Depose Him, and by Imprisoning His Person, have fitted Him for a private life, and by it taught the people that He is subject to the dispose of both Houses of Parliament, whole Ordinances are only powerful by *our Swords*, and therefore our Actions shall be legal by their Vote. Further, the *Prince* (said he) is link'd with his Father in crime, and therefore cannot be severed in punishment, he hath been General in a Western Army, warring

(as

(as his Father) against the Parliament, a crime that as it rendred the Father fit to be Deposed, so doth it the Son unfit to succeed in the Government. And that the descent of the Crown purge not him, (as it did *Hen.* 7.) let us in the Fathers life time Crown the *Duke of York*, now in our power, whose tender years have preserved him innocent, and prefents him fitter for protection and our design, and should any blame our severity towards the *King* and *Prince*, others will commend our clemency towards the *Duke of York*.

Upon the result of this Council, L. Gen. Cromwel *in the House of Commons, tels Mr. Speaker*, That it was time to set on foot our great design, and that such as should not concur in Votes with us, be not continued of us.

The motion being mis-timed, and divers of his party absent, it was only wondred at by Master Knightly, *and died with the words. The Scene now alters from* Westminster *to* Carisbrook-Castle, *and the King that could not be removed by* Votes, *must now by* Poyson, *the Actor Col.* Hammond, *Major* Rolf, *&c. all Members of the Army: yet must we by cursed* Excise *that insensibly devours the poor, by insupportable* Monthly Taxes *that impoverish the rich, contrary to Law and our Allegiance, contrary to our Protestation and Covenant (inforced upon us) we must traiterously maintain and pay this Army that traiterously contrive and endeavour the depos'al and murder of our Soveraign Lord the King, the subversion of our Protestant Church, our Fundamental and known Laws.*

We therefore declare to the World, that God blessing us, we will with hazard of our lives and fortunes, disband and dissipate this Army, the Suppressors of the pure Protestant Religion, *the imprisoners and would be the Murtherers of their Soveraign Lord the King, and grand Oppressors of the Common-wealth; then free from Imprisonment our said Soveraign, and him (God-willing) restore to his lawfull* Government, just Rights, and Throne in Parliament; *this done, we shall joyfully and readily, depositе our justly assumed Arms, and on our knees beg what his Majesty hath often most graciously offered, and will undoubtedly grant, his most Royal and gracious pardon to all his mis-led Subjects, will return to their Allegiance, and forward to* bring the King back to his own house.

We therefore hereby earnestly desire and request all loyal and well-affected Subjects as well Members of both Houses of Parliament as

others, to be herein aiding and assisting to us. First, by not recruiting the Forces of the Lord Fairfax. *Next, by withdrawing all aid and assistance from his Army, by with-holding* Excise *and* Monthly Taxes *allotted for their pay and support, and to give us with their prayers such assistance as their Allegiance and opportunity shall advise; and we trust that the God that judgeth rightly will crown our loyal action with happy successe, and our successe with a glorious peace, which is heartily prayed for, and shall (God willing) be resolutely fought for by us, His Majesties loyal and faithfull Subjects in* Colchester.

A List of the Names of the Members of the House of Commons, Observing which are Officers of the Army, contrary to the self-denying Ordinance: Together with such sums of Money, Offices, and Lands, as they have given to themselves for service done and to be done, against the KING and Kingdom. Corrected and augmented.

Note, *Reader*, that such as have this mark [*] comming immediately before their Names, are Recruiters, illegally elected, by colour of the new Seal, the power of the Army, and voices of the Souldiers, and are unduly returned, and serve accordingly.

The first Century.

1. *William Lenthall*, Speaker of the House of Commons worth 2000l. *per an.* besides rewards for courtesies; (not to say Bribes) Master of the Rolls, worth 3000l. *per an.* beside the sale of Offices: Chamberlain of *Chester* in the Earl of *Darbies* place, And until of late *Chancellor* of the Dutchey of *Lancaster*, worth 1230l. *per an.* and one of the Commissioners of their great Seal, worth 1500l. *per an.* and had 6000l. given him at one time by the House.

2. *Bulstrode Whitlock*, Commissioner of the great Seal, worth 1500l. *per an.* and had 2000l. given him out of Mr. *George Minn's* estate.

3. *Edmund Prideaux*, formerly a Commissioner for the great Seal,

Seal, worth 1500l. *per an.* Now by Ordinance practices within the Bar, as one of the Kings Councel; worth 500l. *per an.* and is Poſtmaſter for all Inland Letters; worth 100l. every Tueſday night beſide his ſupper, and it was thus got: The Lord *Stanhop*, the Poſtmaſters and Carriers of *England* complained in Parliament, againſt Mr. *Witherings* & others, touching the carrying of Letters, whereupon the benefit of forein Letters were given to the Earl of *Warwick*; worth 5000l. *per an.* and the Inland Letters to Mr. *Prideaux: good Parliament Juſtice.*

4. *Roger Hill*, a Barreſter of the Temple, in no practice, nor of a conſiderable eſtate, till this Parliament, hath now from the Houſe the Biſhop of *Wincheſters* Mannor of *Taunton Dean*, being the beſt of *England*; and worth 1200l. *per an.* when the eſtates for lives determine.

5. *Humphrey Salway*, the Kings Remembrancer in Mr. *Fanſhaw's* place; worth 200. *per an.*

6. *Francis Rous*, Provoſt of *Eaton*, in Dr. *Stewards* place; worth 600l. *per annum*, and hath got a College Leaſe worth 600l. *per annum.*

7. *John Liſle*, Barreſter of the Temple, Maſter of St. *Croſſes* in Dr. *Lewes* his place, being a place for a Divine; and worth 800l. *per annum.*

8. *Oliver St. John*, by Ordinance both Attorney and Solicitor to the King, worth what he pleaſe to make it; and hath the paſſing of all Pardons upon Commiſſions, worth 40000l.

9. Sir *William Alliſon*, Alderman of *York*, Clerk of the Hamper, worth 1000 *per an.* he hath *Crabb-Caſtle*; worth 600l. *per. an.* Sometimes the Biſhop of *Yorks* in *York-ſhire.*

10. *Thomas Hoile*, Alderman of *York*, Treaſurers Remembrancer in the Exchequer, in Sir *Peter Osburn's* place, worth 1200l. *per annum.*

11. *Thomas Pury* Senior, firſt a Weaver in *Gloceſter*, then an ignorant Country Solicitor, had 3000l. given him, and Mr. *Gerrards* place in the Petty-bag, worth 400l. *per an.*

12. *Thomas Pury* Junior, Son to the Elder, Receiver of the Kings Rents in *Gloceſter* and *Wilts*, Clerk of the Peace of *Gloceſter-ſhire*, worth 200l. *per an.* and Captain of Foot and Horſe, the firſt year of this Parliament, ſervant to Mr. *Townſhead*, and Attorney of *Staple Inne.*

13 *William*

13. *William Ellis*, Steward of *Stepney*, worth 200l. *per an.* and by him ſold to one of the Temple.

14. *Miles Corbet*, at the beginning of the Parliament 3000l. in debt for himſelf and his Mother, more then he was worth: now one of the Regiſters in Chancery, worth 700l. *per an.* beſides Chair-man for ſcandalous Miniſters, worth 1000l. *per an.* And hath money in his purſe.

16. *John Goodwine*, the other Regiſter in Chancery, worth 700l. *per annum.*

16. Sir *Thomas Widdrington*, a Commiſſioner of the great Seal, worth 1500l. *per an.*

17. *Edward Biſhe*, Garter Herauld, in Sir *Edward Walkers* place, worth 600l. *per an.*

18. * *Walter Strickland*, Agent in Holland for the two Houſes of Parliament, worth to him 5000l.

19. *Nicholas Love*, Mr. Speakers Chamber-fellow, one of the ſix Clerks in Chancery, in Mr. *Penruddocks* place; worth 2000l. *per annum.*

20. Sir *Gilbert Gerrard*, much in debt before the Parliament, pay-maſter to the Army, and had 3d. *per* pound allowed, beſides Gratuities, worth 60000l. and now Chancellor of the Dutchey, worth 1200l. *per an.*

21. *Gilbert Gerrard*, his ſecond ſon, Clerk of the Dutchey, and for whoſe benefit the Clerk-ſhip of the Aſſize in *Norfolk*, is granted to Mr. *Edward Garret* his Cozen by the procurement of Sir *Gilbert*; and is worth 500l. *per annum.*

22. *John Selden*, had given him 5000l. of which he received 2500 pound.]

23. * *John Bond*, (Son to *Dennis Bond*, a Parliament man) made Maſter of Trinity-Hall in *Cambridge*, which Mr. *Selden* refuſed to accept of.

24. Sir *Benjamin Rudiard*, given him 5000l. *And hath he not deſerved it?*

25. * *Lucas Hodges*, Cuſtomer of *Briſtol.*

26. Sir *John Hipſley*, hath the keeping of three of the Kings Parks, *Mary-bone*-Park, that was Mr. *Carewes*, *Hampton*-Park, and *Buſhy*-Park, and given him 2000l. in Money.

27. Sir *Thomas Walſingham*, the Honour of *Eltham*, that was the Earl of *Dorſets*, the middle-Park and houſe, which was Maſter *Whites*,

Whites, and hath cut down 4000. Timber Trees:

28. *Benjamine Valentine*, given him 5000l.

29. * Sir *Henry Heyman*, given him 5000l.

30. *Denzell Hollis*, given him 5000l.

31. * *Nath. Bacon*, given him 3000l.

32. * *John Steevens*, given him out of the Lord *Aſtley's* Compoſition 1000l.

33. * *Henry Smith*, made one of the ſix Clerks; worth 2000l. *per annum.*

34. *Robert Reynolds*, had 2000l. given him; Beſides *Abingdon-Hall*, and the Lands, worth 400l. *per annum.* Hath bought a good penny-worth of Biſhops Lands, hath 20000l. beyond Sea, as he made appear upon his Mariage.

35. Sir *John Clotworthy*, Treaſurer for *Ireland*, and by the Army charged with defrauding of the State of 40000l. which may be one reaſon the King could never get an account of the monies raiſed for the *Iriſh*, though he deſired it.

36. *John Aſhe*, given him out of Mr. *John Coventry's* Compoſition 4000l. out of Sir *Edward Moſely's* 1000l. out of Mr. *Edw. Philip's* 1200l. out of Sir *John Powel's* eſtate 8000l. And (which is worth all this) is the great Chairman at Goldſmiths Hall. *Is not this better then cloathing?*

37. * *John Lenthall*, ſon to the Speaker, made one of the ſix Clerks, worth 2000l. *per annum.*

38. * *Francis Allen*, a poor Goldſmith at St. *Dunſtans* in *Fleet-ſtreet*, now made a Cuſtomer for *London*. In honour of whom clipped moneys are called (*Allens.*)

39. *Giles Green*, the Reciver of *York-ſhire*, being put out of his place, got it for his Son-in-Law, is Chair-man for the Navy, and for Sir *Thomas Daws* his eſtate, and what it was worth to him Sir *Thomas Daws* his Creditors will tell you; for they got nothing.

40. *Francis Pierpoint* hath the Arch-biſhop of *York's* Lands, lying in *Nottingham-ſhire.*

41. *William Pierpoint* hath 7000l. given him, and all the Earl of *Kingſton's* perſonal Eſtate, worth 40000l.

42. * *John Palmer*, Mr. of *All-Souls* in *Oxford*, in Doctor *Sheldon's* place, a Divine.

43. * *John Blackeſton*, a poor ſhop-keeper in *New-Caſtle*, was Exe-

Executor to the Executor of Sir *John Fenner*, truſted with 6000l. for Charitable uſes, and was ſued in Chancery to perform the truſt; but got himſelf returned a Burgeſs for *New-Caſtle*, by the *Scots* Garriſon there; had 3000l. given him out of one Gentleman's Compoſition, and out of others as much as made it up 12000l. as was made appear at a Committee before Mr. *Sandis* of the Temple Chair-man; hath alſo a Cole-meeter's place worth 200l. *per annum*, and the Biſhop of *Durham*'s Caſtle at *Durham*, and Lands of great value.

44. *Tho. Ceely*, long a Priſoner for debt, helped out by the Parliament, and made Recorder of *Bridgewater*.

45. * *Thomas Moor*, an Officer in the Cuſtom-houſe, and his brother Governor of *Ludlow*.

46. * *Scawine*, given him 2000l.

47. *Iſaac Pennington*, twice broke, once Lieutenant of the Tower; a year and a half Lord Mayor of *London* before his time; had 7000l. given him, and hath ſtore of Biſhops Lands.

48. *Samuel Vaſſel* given him 1000l.

49. *Oliver Cromwel* Lieut. Gen. hath 2500l. *per. an.* given him out of the Marqueſs of *Worceſters* Eſtate, for which 4000l. *per an.* is ſet out at the rate of 2500l.

50. Sir *Wil. Brereton*, Col. Gen. for the *Cheſhire* Forces, hath *Caſhobery*, and other Lands of the L. *Capels* worth 2000l. *per an.* and the Archbiſhops houſe and Lands at *Croiden*, where he hath turned the Chappel into a Kitchin. *A goodly Reformation, and fits with his ſtomack as well as his Religion.*

51. * *Thomas Waite*, Col. Governour of *Burley*, where he thrives ſo well, as he is now buying 500l. *per an.* who before was not able to buy 5l. a year.

52. Sir *Oliver Luke*, decayed in his Eſtate, Col. of Horſe.

53. Sir *Samuel Luke* his Son, Col. and Scout-maſter for the Counties of *Bedford*, &c.

54. * *Thomas Gell*, Lieut. Col. to Sir *John Gell*, made Recorder of *Derby*, in Mr. *Alleſtrie*'s place.

55. *Valentine Walton*, Col. and Governour of *Lin Regis*.

56. * *Richard Norton*, Col. Governour of *Southampton*.

57. * *Edward Harvy*, late a poor Silk-man, now Col. and hath got the Biſhop of *London*'s Houſe and Mannor of *Fulham*.

58. *Edward Roſſiter*, Colonel, and General of all the *Lin-*

Lincolnshire Forces, and Governour of *Belvoyr* Castle.

59. * Sir *Michael Livesey*, Col. Sequestrator, and Plundermaster General of *Kent*.

60. * *Henry Ireton* (son in Law to Lieutenant General *Cromwel*) Colonel, and Commissary General.

61. * *Richard Salway*, Col. formerly a Grocer's man.

62. * *John Birch*, formerly a Carrier, now a Col.

63. * *Thomas Rainsborough*, a Skipper of *Lin*, Col. Governour of *Woodstock*, and Vice-Admiral of *England*.

64. * *Robert Black*, Col. Governour of *Taunton*.

65. * *Francis Russel*, Colonel.

66. * *Rowland Wilson*, Colonel.

67. * *Robert Harley*, Col. son to Sir *Robert Harley*.

68. * *Richard Brown*, Major General, and Governour of *Abingdon*.

69. * *Peter Temple*, Captain of a Troop of Horse.

70. * *John Ven*, Col. Governour of *Windsor*, had 4000l. given him.

71. * *Algernon Sidney*, Governour of *Dover-Castle*.

72. * *Richard Ingolsby* Col. Governour of *Oxford*.

73. * *John Hutchinson*, Col. Governour of *Nottingham*.

74. * Sir *John Palgrave*, Col. at the siege of *Newark*.

75. * *Edmond Ludlow*, Governour of

76. * *Cornelius Holland* renteth as much of the Kings grounds for 200l. *per an.* as is worth 1600l. or 1800. *per an.*

77. * *Philip Skippon*, Sergeant-Major-General of the Army, Major-Gen. of *London*, and Governour of *Bristol*, had 1000l. *per an.* lands of inheritance given him.

78. * *Charls Fleetwood*, Colonel.

79. * *Thomas Westrow*, Capt. under Sir *Michael Livesey*, was nothing worth, until a Captain and a Parliament man; and now hath gotten the Bishop of *Worcesters* Manor of *Hartleton*, which proves he hath two good and beneficial offices.

80. *Henry Martyn*, Col. of a Regiment of Horse, and a Regiment of Whores.

81. *Nathaniel Fiennes*, Col. once Governour of *Bristol*. *There-by hangs a Tail.*

82. *Anthony Stapley*, Col. Governour of *Chichester*.

83. *Alexander Rigby*, Col. and Governour of *Bolton*.

84. *Charle Pyms*, Captain of a Troop of Horſe.

85. Sir *Arthur Haſlerig*, Col. Governour of *Newcaſtle*, and hath the Biſhop of *Durham*'s houſe, Park, and Manor of *Auckland*, and 6500l. in money given him.

86. *William Jepſon*, Colonel.

87. Sir *Thomas Middleton*, Major-General for *Denbigh*, and five other Counties.

88. *Godfrey Boſwell*, Colonel.

89. The Lord *Gray* of Grooby, (ſon to the E. of *Stamford*) Col. and hath given to him the Queens Manor houſe, Park, and Lands at *Holdenby*, and ther's a great fall of the Woods.

90. Sir *Will. Conſtable*, Col. Governour of *Glocester*, he ſold his lands to Sir *Marmaduke Langdale*, for 2500l. and is reſtored to it again by Parliament.

91. Sir *Will. Purefoy*, Col. and Governour of *Coventry*, fought reſolutely againſt the Croſſe in the Market place at *Warwick*, and againſt the Ancient Monuments in the Earls Chappel in St. *Maries* Church there; for which he had 1500l. given him, but when he ſhould have fought with the Enemy, hid himſelf in a Barley-field, for which a Water-man at Temple ſtairs (that had been his ſouldier) refuſed to carry him.

92. Sir *Edward Hungerford*, Col. famous for plundering *Warder Caſtle*, hath the Lands of the Counteſs *Dowager* of *Rutland*, worth 1500l. *per. an.* and ſhe allowed but 500l.

93. *Harbert Morley*, Col. Plunder-maſter of *Surrey*.

94. *John Moor*, Col. of the Guards, and for ſome time had the benefit of Paſſes out of *London*.

95. *Walter Long*, Col. had 5000l. and the Office of Regiſter for 4. years.

96. Sir *Will. Waller*, General, and loſt two Armies, yet a gainer by the employment.

97. *John Alured*, Col.

98. *Michael Oldsworth*, no Col. but Governour of *Pembroke* and *Mountgomery*, and hath a ſhare with his Lord out of Sir *Henry Comptons* Office, worth 3000l. *per an.* and is Keeper of *Windſor Park*.

99. *Tho. Scot*, a Brewers Clerk formerly, hath the Biſhops houſe at *Lambeth*.

100. Maſter *Aſtwood*, when he went Commiſſioner into *Scotland*

land, had the Clerk of the Peaces place for *Lancashire*, and 1000l. in money given him.

Besides these Offices, Commands, and Gratuities, every Member of the House of Commons, being in all 416 are by their own Order allowed 4l. per Week a man; which amounts to 110000l. *per annum*.

By the Ordinance for Sequestring Delinquents (1 *April*, 1643.) it was declared, *That their Estates should go for maintenance of the Publick Affairs*, and several Ordinances designed *Bishops Lands for pay of* 200000l. *Publick debt*: Yet by this, and the following Centuries, thou shalt see how both Delinquents Estates and Bishops Lands are by Members of Parliament shared amongst themselves, whilest the 200000l. is unpaid, the publick affairs supported by unsupportable Taxes, and that *Dutch Devil Excise*, that insensibly devours the poor, and will impoverish the rich.

These are they that wish *Hananiah* break *the wooden yoke from our necks*, (28. *Jeremiah*) and put on one of Iron; free us from a little *Ship-money* paid thrice in an Age, and Impose as much at once for a *Monthly Tax*; quit us of the *Monopolies of Tobacco*, and set up *Excise on Bread and Beer*: The first easeth the wanton rich man, and the latter grindeth the needy and poor. Yet *these are thy Gods O London!* these are the Idol Calves the People have set up and do worship: these be the *Molech* to whom ye sacrifice Sons and Servants by Troops, Regiments, and Armies, to maintain their *sovereignty*, *rebellion*, and *profit*.

And that these and other their actions may never be questioned, they *His Majesties loyal and obedient subjects*, will always *Imprison their King, continue their Army, perpetuate their Parliament, and intail their Member-ships* (as the Priesthood on *Levi*, *upon confiding Families, to furnish them with Votes*, as Mr. *Gilbert Gerard* and his 2 Sons, *Brampton Gurdon* and his 2 Sons, Sir *Robert Harley* and his 2 Sons, 3. *Pluts*, 2. *Affets*, 4. *Stephens*, 4. *Pelhams*, 4. *Herberts*, 4. *Temples*; it were endlesse to name the Father and the Son, Brother and Brother that fils the House; they come in couples more then unclean Beasts to the Ark: 2. *Vanes*, 2. *Puries*, 2. *Chaloners*, 2. *Bacons*, 2. *Pierpoints*, 2. *Bonds*, 2. *Onslowes*, 1. *Lenthals*, &c. And that our *Ecclesiasticks* may comply with our *Temporal Governors*, the Houses abolish (as superstitious because Legal) the *Convocati-*

on of learned Divines, (regularly ſummoned by the *King's Writ* and duly *elected by the Clergy*) and the Houſe of Commons *nominates an aſſembly of gifted Divines* (indeed wicked *Simons*) that ſtander the Godly *Onias*, (2. *Mac.* 4.) to out him of *his Prieſts place*; ſo that at this day there is not one *Aſſembly-man* but is illegally thruſt into anothers *Benefice*, a *Catalogue* of whoſe names and Preferments expect ſhortly, and with them a view of the *Militia* and *Common-Council-men* of *London*, obſerving what Places, Offices, and ſalaries they have from the Houſes of Parliament, and then thou wilt know the reaſons of their Votes and Actions in the City.

You ſee in part what the Grandees have done for themſelves. Conſider after 8. years ſitting what they have done for the people, when amongſt all their Propoſitions to the King *for Peace*, hardly any one reſpects the *good of the People*, but their own *grandeur and profit*. They demand a *Militia* to keep up this Army upon us, which is not the Kings to give. No King of *England* ever governed by a ſtanding Army. They demand likewiſe power to *raiſe what Forces for Land and Sea, conſiſting of what Perſons they pleaſe to preſſe; and to raiſe what money to maintain them out of all mens Eſtates*, to be laid on at their diſcretion, and as partially as they pleaſe, ſo that they may favour one Faction, and oppreſs the other at pleaſure; for, ſo much the Act for the *Militia* as it is penned imports: and this is more then his Majeſty hath power to grant. The late *Militia* of Trained Bands, and the *Poſſe Comitatus* under *Sheriffs* (being the only legal *Militia* of *England*) will not ſerve their turns. It hath always been the Policy of *England*, to truſt the *Militia* and *ſword* in one hand (*viz. the* KINGS) and the Purſe that ſhould *pay them* in another (*viz. the* PARLIAMENTS) whereby *one power* might bound and limit the *other*. For to put the Sword and the Purſe into one hand, is to make that hand abſolute Maſter of our Perſons and Eſtates, and ſo reduce us to abſolute ſlavery under the Arbitrary power of one man, without appeal or redreſſe. *Awake and look about you good People.*

THE END.